Bombay Gazette.

Volume 83. Wednesday, December 25, 1822. No. 1699.

Proclamation.

Bombay to wit. BY Virtue of a Precept to me directed, I hereby proclaim and give Notice, that a Session of Oyer and Terminer, and [illegible] Gaol Delivery, will be holden before the Honorable the Court of the Recorder of Bombay, at the Court House in the Town Hall, in Bombay, on Tuesday the Seventh day of January next, at Eleven o'Clock in the forenoon, for the Trial of all Treasons, Murders, Felonies, and other Crimes and Misdemeanors, had, done, or committed within the Town and Island of Bombay, and the limits thereof, and the Places and Factories subordinate thereto, and dependent thereon; and also to enquire, hear and determine, in like manner, all Treasons, Murders, Felonies, Forgeries, Perjuries, Crimes, Extortions, Misdemeanors, Trespasses, Wrongs and Oppressions had, done, and committed, by any of his Majesty's British subjects, in any of the Territories which now are subject to, or dependent upon the said Government of Bombay, or within any of the Dominions of the Native Princes of India in alliance with the said Government:

And also that, at the same time and place will be holden, a Sessions of Admiralty for the Trial of all Treasons, Murders, Piracies, Robberies, Trespasses, Misdemeanors, and other crimes and offences, had, done, perpetrated or committed on the High-Seas.

And, I hereby require and enjoin all persons bound to prosecute and give evidence at the above Sessions, or in any way concerned therein, to attend at the time, and place above mentioned, and not to depart without leave of the Court. Dated this 19th day of December in the Third year of the Reign of His Majesty King George IV.

G. F. HUGHES.
SHERIFF.

For Sale

AT THE
GODOWNS
Under the Office
OF
Messrs. Forbes & Co.

A FEW Pipes of fine old London Market Madeira Wine, from *Murdoch, Yuille, Wardrop, and Co.* just imported per Ship PHŒNIX, at Rs. 450 per Pipe.

Bombay, 25th Dec. 1822.

Advertisement.

To be sold by public Auction on the beach, Tellichery, on Wednesday, the 8th of January 1823, Twenty six old Anchors belonging to the Estate of the late J. L. Oakes Esq. deceased by order of the Executor. Conditions of Sale: Purchase-Money to be paid within 10 days from the time of Sale.

The Expense of removal to be borne by the purchaser.

Lot.	*Length of Shank.*	*Weight.*
1	12½ Ft.	22 Cwt.
2	15½	33
3	15½	33
4	15½	33
5	15	31½
6	15	31½
7	13½	22½
8	Small,	
9	11	12½
10	Small,	
11	9	7
12	8	4½
13	14	24½
14	10	8½
15	11	12½
16	13	20½
17	17	44½
18	14	24½
19	12	15
20	14	24
21	13	20½
22	14½	25
23	16	36½
24	14½	25
25	Unmeasured, very large —being [illegible] the Sea. The Fluke [illegible]pearing above water.	
26	Unmeasured lying at Cannanore.	

(Signed) F. SPRING.
Ex.

A CARD.

MR. HIGGS begs leave to acquaint his friends and the Public, that he has just received from the Gulph, in the Ship CAROLINE, a superior lot of Arabian and Persian horses.

Bombay, Dec. 25th 1822.

Kempt and Co.

WILL SELL
BY PUBLIC AUCTION
To-morrow, Thursday the 26th Instant,
AT A GODOWN
UNDER DADY'S BUILDING
AN INVOICE
OF
RUM
LATELY ARRIVED FROM THE
ISLE OF FRANCE
On Account of those Concerned.
TERMS OF SALE
Cash—and the Rum being in Bond, the duty to be paid by the Purchaser.
N. B. The sale will commence at 12 o'clock.

Bombay 21st December 1822.

Kempt and Co.

WILL SELL.
BY PUBLIC AUCTION.
AT THEIR ROOMS.
On Monday the 30th Inst.
THE FOLLOWING INVOICES,

A QUANTITY of Imitation Cashmire Shawls, and Searfs, printed on both sides. Green Baize, Black and Blue coarse Cloth, Boat Cloaks and Blankets.

Bombay 18th Dec. 1822.

Kempt and Co.

WILL SELL
BY PUBLIC AUCTION
AT
Hormusjee Bomanjees,
Cotton Screws,
On Thurs day the 26th Instant,
AT ONE O'CLOCK
20 HHDS. OF
HODGSON'S PALE A[illegible]
TO CLOSE ON ACCOUNT.
Bombay, December 25[illegible]

NOTICE.

THE Gazette Printing Office is removed from Apollo street to No. 4 Rampart Row.

BOMBAY GAZETTE OFFICE,
25th Dec. 1822.

Public Advertisement.

NOTICE IS HEREBY GIVEN.

THAT the Assessor of wheel Tax has been directed by the Court of Petty Sessions to renew prior to the 1st January 1823, the Badges of all Bullock and Horse Pleasure Hackeries as also those of Labour Carts—All owners of this discription of Vehicle are hereby warned accordingly, and directed to attend at the Office of the said Assessor daily, (Sunday, Excepted) from this date until the 1st January next, for the purpose of having the New Badges supplied, which will be nailed on to every Hackery or Cart, the owners paying one quarter of a Rupee for each Badge.—If any Hackery or Cart shall be found after the 1st January 1823, on the public roads or in the possession of any person without such Badge, the Owner will be subject to Fine, a moiety of which will be paid to the informant.

By order of the Court
of Petty Sessions.
GEO. F. HUGHES.
Act. Clerk.

Petty Sessions, Office,
December 17th 1822.

જાહેર ખબર *

ખબર• ફીઆંથી• આ પીટિશને
પીટીશેશંનની• અદાલતથી• ગાડી
નાં• છાપાનાં• ઉગારાવનારને• હે
ક્રમ•થાકિઓયજે• તા• ૧ લી•
જાનેવારી• શને• ૧૮૨૩ ની•અ
ગાઉ•શરવે• બલદ• તથા• ગોડા
ના• ઇશકીનાં•રેફલાઓ• તથા
લાકુંતી• ગાંડાંઓનો•છાપો•નવો
કરે•તેશારું•શરવે•ફેવીનાતની•
ીઓનાં•ધણીઓને•અગા
કિરમાંણે•ખબર•આપી
•હોક્રમ•કરીયજે•આ
ફિ• તારીખથી• તે•છાપાનાં•આપ
નારની• ફકરીશમયે• આતવાર• વ
ગરે•ફરરોજ• તા• ૧ લી• જાને
વારીઅ્ચી• નવો•છાપો•લેવાનેવા
શતે•હાજર•રેફે* તેછાપો•ફરફ•
રેફલો•અથવા•ગાડાને•ખીલિવ
તી•જંડીલીકિ * અને•તે•ધણીઓ
છાપા•કિનો•રૂપીઓ•પાઆ•
આપે•અગારનો•તા• ૧ લી•જા
નેવારી• ૧૮૨૩ પછે•ફરકિ•રે
ફેલો• અથવા•ગાકું•રશતા•ઉ
પર•અથવા•તેનાં•ધણીને•તાંણ
વગર•છાપે•માલમ•પડશેતો•તે•
ધણીને•ડંનડ•આપવોપડશે *
અને•તેમયેથી•અરધો•ભાગ•જે
કોઇ•જાહેર•કરશે•તેનેઆપશે
તા• ૧૮ મી•ડીજંમબર• ૧૮૨૨

TWENTY-EIGHT
Calcutta Lottery.

TICKETS in this Lottery are now for Sale at the Office of *Alexander Mackintosh*, Price Rs. 130.

Bombay, 27th Nov. 1822.

For Passage to London

THE FINE NEW SHIP

KING GEORGE THE FOURTH,
BURTHEN 470 TONS,
Captain J. W. Clark,

IS expected to arrive in Bombay about the 15th Proximo, from Calcutta, and having a full Cargo already engaged will not remain in Bombay more than 15 days.

For terms of Passage apply to *Mr. Saunders*, at the Office of the late *Wm. Milburn, Esq.* where a plan of her accommodations may be seen.

Bombay November 13th 1822.

For Freight or Passage,

TO ENGLAND,
THE FINE NEW TEAK BUILT SHIP

DUKE OF BEDFORD,
750 TONS REGISTER.
Captain F. A. Cunynghame,

WAS to Sail from Calcutta early in December, where she has lately been fitted up in a superior Style for Passengers, and may be expected here by the 20th of January. For further particulars apply to *Messrs. Remington Crawford and Co.* at whose Office a plan of her Accommodations may be seen.

Bombay, 18th Dec. 1822.

For Freight

THE SHIP
BOMBAY,
Captain H. Humphries,
LATELY ARRIVED FROM
CALCUTTA,

WILL receive Goods on Freight back to Calcutta, and to any of the intermediate Ports and Places and Madras on her way. She will sail as soon as her Cargo is out. Apply to *Messrs. Roger de Faria and Co.*, where terms of the Freight may be known.

Bombay, 25th Dec. 1822.

Passage to England

THE FINE BOMBAY BUILT SHIP
JAMES SIBBALD,
Captain J. K. Forbes,
Of the Hon'ble East India Company's Service,

WILL positively sail for London on the 1st proximo and will touch at the Cape of Good Hope—a few of her superior accomodations are still disengaged.

Bombay, 25th Dec. 1822.

Digitized with financial assistance from the
Government of Maharashtra
on 28 June, 2017

For Passage to England

THE FINE NEW SHIP

COLUMBIA,

Captain Chapman,

OF 600 TONS,

IS daily expected from Bengal, and will be despatched to Liverpool within 3 weeks after her arrival, her Cargo being all engaged. Her Cabins are spacious, and elegant, and are fitted up in a superior manner, and with every attention to convenience.

Apply to *Ritchie Steuart & Co.*, where a plan of her accommodations may be seen.

Bombay 21st *December* 1822.

AN ENGLISH

Milch Cow

AND CALF

WITH A

Bull

OF THE

CELEBRATED NORFOLK BREED

and

TWO GREYHOUND PUPS

WILL BE SOLD

AT AUCTION

BY

Baxter & Co's

TO-MORROW THE 26TH INST.

ALSO

10 HHDS. OF

Hodgson's Pale,

WARRANTED SOUND

20 DRWINGS OF SPORTS

By Aitkin,

FRAMED AND GLAZED

Surgical Instruments

IN CASES &c.

A MINIATURE PORTRAIT

OF

Major General Sir Robt. R. Gillespie,

PAINTED BY

Chinnery,

IN A HANDSOME GUILT FRAME,

THE whole of the above will be Sold without reserve to close an Account.

Bombay, 25th Dec. 1822.

FOR SALE

At the Godown

UNDER THE ADMIRAL'S HOUSE

IN DADY'S BUILDING

AND LATELY IMPORTED

From Calcutta,

THIRTY Pipes of OLD MADEIRA, at - - Rs. 500 *pr. Pipe.*

Twenty half Pipes of

INDIA MARKET, at Rs. 150 "½ *Pipe*

FOR PARTICULARS APPLY TO

FRAMJEE CAWASJEE,

"TERMS: *Cash.*"

Bombay 14*th December* 1822.

NEW PUBLICATIONS,

RUTTUNJEE HORMJEE, begs to acquaint the Lovers of Music that he has exposed for sale at his Shop next door to the Medical Stores in Forbes Street a small but Choice Collection of Music and Musical Instruments and Papers, amongst which are the following.

2 Bugles,

2 Superb Cocoanut Flutes with 7 or 8 Keys made by Clementi on the latest once most approved principle.

ALSO.

Some Double, and Single Flagolets, Kent Bugles, and Octavo Flutes.

FOR READY MONEY.

Bombay, 25th Dec. 1822.

To Sail for London

THE FIRST WEEK IN JANUARY,

THE FAST SAILING SHIP

Barkworth.

CAPTAIN THOMAS GREEN,

THIS Ship has accomodations for two or three more Passengers and carries a Surgeon.

For Passage apply to Cursetjee and Jehangheer Ardaser, to Captain Pedler or Mr. R. Tayler Rampart Row.

Bombay, 25th December 1822.

To Sail for London

THE FIRST WEEK IN JANUARY.

The well known teak built Bombay Ship

Upton Castle

Captain John Pedler.

THE Ship requires a few Tons of freight to fill up, apply to *Cursetjee & Jehangheer Ardaser, to Capt. Pedler,* or Mr. R. Taylor Rampart-Row.

Bombay, 25th Dec. 1822.

SUBSCRIPTIONS

FOR THE

Distressed Irish.

Amount already published, ... Rs. 16,571

Additional Subscripttons.

Charles Law, Esq.	150
Lieut. Hall, 12th N. I.	30
In part of the produce of the Play performed at the Bombay Theatre for the benefit of the distressed Irish, by the hands of Henry Meriton, Esq. one of the Managers,	2500
Capt. Charles Keys, Hon. C's. Marine,	100
Capt. Richard Morgan, Hon. C's. Marine,	100
Lieut. Wm. Burrowes, 7th Regt N. I.	30
Alexander Ferrier, Esq.	100
George Smyttan, Esq.	50
Lieut. Col. Kingston Egan,	100
Ferozeshaw Dhunjeeshaw, of Surat,	200
Lieut George Macan,	100
Lieut. Henry Sandwith,	30
Lieut. Col. J. P. Dunbar,	100
Capt. T. W. Stokoe,	20
Mr. George Higgs,	50
A Widow's Mite,	14 0
Lieut. Walter Nixon,	50
Officers and Privates H. M's. 47th Regt.	552 2
Major E. Davies, H. H. the Nizam's Service.	100

Accountant General, Civil Auditor Revenue and Judical Accountant's and Military and Commercial Accountant's offices

A Friend,	35
Mr. N. Fernandes,	30
Mr. James Taylor,	15
Mr. John Mason, junior,	20
Mr. T. E. Menesse,	10
Mr. Joseph de Lima e Souza,	5
Mr. Charles Joseph Phillips,	4

General Department.

Govindjee Wissajee, head purvoe,	10
Jagonath Bapsojee,	3
Rangoo Gemnoba Sinoy,	5
Ragoba Govindgee,	2
Ramchander Wittojee,	2
Bhewa Madowjee,	2
Gunput Essoba,	2
Nicolaó F. de Silva,	2
Elias Joaquin de Silva,	1 2
Daniel de Silva,	1
Bullibhadra Ballajee,	1
Narrayen Gunnoba,	1
Wissoo Cassinath Josey,	1
Ramchunder Purshotum Senoy,	1
Gunshaw Wittoba Sinoy,	1
Wisswanath Jevansett,	1
Humychund Succaramjee,	
Janardun Purshotumjee,	
Succaram Muccondsett,	
Pandoorung Dadajee,	

Revenue Department

Damotherjee Sunderjee, head purvoe.	
Dadoba Morojee.	

[illegible] Putlajee or Jewba,	5
[illegible]er Sunderjee,	1
[illegible]er Purshotumjee,	1
[illegible]par de Silva,	1
[illegible]a. Mahmood Mukba.	1 3

Military Department.

An Anonymous Donation,	20
Ramchunder Ladcoba, head purvoe,	2
Ramchunder Manitkjee,	2
Junius J. Stevens,	1
Bhawoo Pandoorungjee,	1
Ragoba and Succoram,	1
Succaram and Moraba,	1
Narron Gunnesett	1
Soca Govindjee,	3
Anunta Narronsett,	2
Moroba Gunnessett,	2

Commercial Department.

Balcrustnajee Dwarcajee, head purvoe,	5
Ramchundra Kessowrow.	1

By the Establishment in the Quarter Master General's Office Dec. 1822.

Line Serjeant John Harrison,	10
Head purvoe Jagonnath Wassoodew Senoy,	8
Under do. Moraba Shamjee Purbhoo,	4
———do. Bhowanjee Morojee Purbhoo,	3
[illegible]do. Wisswanath Purshotum Sinoy,	3
[illegible]do. Bhasker Gopall Sinoy,	2
[illegible]do. Trimbuck Ramchunderjee [illegible]hoo,	2
[illegible]Writer William Nock,	3
[illegible]ONTRACTOR.	
[illegible]e Cawasjee Patell,	15
[illegible] Samuel. Goodfellow	50
[illegible] William Meall	50
[illegible]R. Watson H. C. Marine	30
[illegible] George Grant, H. C. Marine.	50
T. H. C. W.	75
L. R. Reid, Esq.	50

Total Amount to this date. Rs. 21,522.2.25

Eduljee Cursetjee's Sons

WILL SELL

By Public Auction

On Monday next the 30th Instant,

AT THEIR ROOMS.

IN MEADOW STREET

on account of the Shippers.

A FEW Cases of Fine Mustard, lately imported from England.

Bombay, 25th Dec. 1822.

Advertisement.

FOR SALE

AT THE

Gazette Office,

[illegible]K Bills of Exchange, Powers [illegible]orney, Interest and Respon[illegible]ds, Policies of Insurance, Agreement between Masters [illegible]rs, Bills of Lading, Boat [illegible]c.

GENERAL ORDERS.

BOMBAY CASTLE, 12TH DEC. 1822.

By the Hon'ble the Governor in council.

THE following provincial and district orders are confirmed by the Governor in Council, viz.

Provincial order, by Lieutenant Colonel Gubert, dated Rajcote 3d of April 1822, appointing Lieutenant Sandwith of the 1st Regiment of Cavalry to act as Major of Brigade during the absence of Lieutenant Powell on leave to the presidency.

District order by Colonel Dalbiac, dated 20th September 1822, appointing Captain White to conduct the duties of the Barrack department at that station until further orders.

District order by Lieutenat Colonel Edwards, dated 30th September 1822. appointing Lieutenant Walter Nixon to officiate as Major of Brigade during the absence of Lieutenant Leigton.

Bombay Castle, 13th Dec. 1822.

The Hon'ble the Governor in Council is pleased to publish the following resolution in the Political department of the 12th of November last.

Lieutenant McLeod of the Corps of Engineers, is appointed Resident in the Gulph of Persia.

Bombay Castle, 14th Dec. 1822.

The Governor in Council is pleased to make the following appointment.

Captain J. B. Dunsterville to be Paymaster to the Baroda Subsidiary Force, and Lieutenant George Moore, Paymaster to the Surat division of the Army.

The Hon'ble the Governor in Council is pleased to appoint Assistant Surgeon Burra to succeed Surgeon Harrison, as Vaccinator at the Presidency.

Bombay Castle 19th Dec. 1822.

The Hon'ble the Governor in Council is pleased to permit Ensign G. H. Macdonel of the 2d Battalion 8th Regiment Native Infantry to proceed to the Malabar Coast for three months on his private affairs.

Cornet Henry Wilks of the 3d Regiment Light Cavalry is transferred at his own request to the 1st Regiment of Cavalry, as sixth Cornet immediately below Cornet R. D. Mackenzie,—date of rank in the Regiment 4th June 1821.

By Order of the Hon'ble the Governor in Council,

J. FARISH.

Sec. to Govt.

HEAD QUARTERS BOMBAY.

Tuesday 17th December, 1822.

GENERAL ORDERS.

BY THE COMMANDER IN CHIEF.

ASSISTANT Surgeon Bradly is attached to the Hospital of the Bombay European Regiment, and assistant Surgeon Sinclair is appointed to do duty with His Majesty's 67th Regiment until further Orders. The Quarter Master General will be pleased to furnish the latter Gentleman with a Passage to Panwell, and he will, proceed to to join with all possible dispatch.

Wednesday 18th December, 1822.

The Officer Commanding 1st or Marine Battalion 14th Regiment N. I. will be pleased to relieve the Detail of that Battalion stationed at Poor Bunder as soon as practicable.—The Quarter Master General will be pleased to furnish a passage.

Thursday 19th December, 1822.

The near approach of the Regular Season for the annual Inspection Reports of the Hon'ble Company's Troops, makes it desirable to take some Notice of those of the last year, and which the late periods some of them were received at prevented being sooner done.—The Commander in Chief is happy to say they were in general very satisfactory, and the instance to the contrary so few as to require only the observations, which will, by his desire, be made in individual cases by the Adjutant General of the Army.

Only one set of Review and inspection returns are required to be forwarded to Head Quarters.

The Officer Commanding His Majesty's and the Hon'ble Company's Regiments of Artillery and European Infantry, at the Presidency, will be pleased to forward to the Adjutant General of the Army returns of such men at present in their Regiment Hospitals who may have been recommended for Removal to the convalescent Hospital at Dapolee.

Ensign C. Parrin 1st Battalion 4th Regiment and C. Winn 1st Battalion 7th Regiment N. I. having been reported by the Garrison Surgeon fit for duty, will join their respective Battalions as soon as practicable. The Quarter Master General will be pleased to furnish them with a Passage.

The Commander in Chief has been pleased to confirm, as temporary arrangements, the following District and Division orders by the officers Commanding the Northern Districts of Guzerat, and Southern Concan.

EXTRACT FROM DISTRICT ORDERS.

BY COLONEL DALBIAC,

Camp Kaira 30th Nov. 1822.

Assistant Surgeon Walbrave will take Medical charge of the Detachment of the 2d Bt. 6th Regt. and of the Pioneers from the 1st De[illegible] inclusive. Assistant Surgeon Richmond will take Medical Charge of the Foot Artillery and Staff from the same date.

(Signed) C. SALE,

A. M. B.

EXTRACT FROM DIVISION ORDERS.

BY LIEUT. COLONEL M. KENNEDY,

Head Quarters Camp near Severndroog 24th October 1822.

Mr. Assistant Surgeon Shippee is to take temporary Medical charge of European convalescents on their arrival from the Presidency, and to make such preparation as may be directed by the superintending Surgeon.

(Signed), S. HUGHES,

B. M. Southern Concan.

FRIDAY 20TH DECEMBER 1822.

MEMORANDUM,

Ground for the accommodation of the officers of the left Wing 2d Battalion 9th Regiment having this day been alloted, by Order of His Excellency the Commander in Chief, within the space reserved on the Esplanade for officers doing Garrison duty such Gentlemen as have pitched their Tents on that ground, (on being warned by Major Campbell,) are hereby directed to remove before noon on the 23d instant.

All broken bottles, Stable rubbish and dirt of every description must be carefully cleared away by the Followers of officers vacating the ground

Assistant Surgeon Shaw is appointed to the Medical charge of the Wing of the 2d Batt. 9th Regt. arrived at the Presidency until further orders.

Lieut. Blachley Pioneer Batt. has his leave of absence at the Presidency extended unto the end of the ensuing month

Lieut. Wyllie 2d Batt. 11th Regiment has permission to remain at the Presidency until the 10th proximo for the purpose of being examined by a Committee as to his knowledge of the Hindoostanee Language.

Friday 20th December 1822.

BY THE COMMANDER IN CHIEF.

With reference to the General Orders of 2d Instant, Mr. Assistant Surgeon Dawney will continue in the performance of his Medical duties at Surat until further orders.

W. P. TUCKER,

Dep. Adj. Gen.

MARINE DEPARTMENT.

THE Honorable the Governor in Council has been pleased to make the following promotion.

Senior Midishipman Timothy Gosley to be second Lieutenant vice Still removed from the strength of the Marine Establishment,—date of rank 3d December 1822.

By Order of the Honorable the Governor in Council,

J. HENDERSON.

Sec. to Gov.

CIVIL APPOINTMENTS.

POLITICAL DEPARTMENT

12TH NOVEMBER.

LIEUTENANT J. Macleod, of the Corps of Engineers, is appointed Resident in the Gulph of Persia.

TERRITORIAL DEPARTMENT, REVENUE

Bombay Castle 20th December 1822.

Mr. Benj[illegible] Hutt Deputy Collector of Sea Customs in Guzerat.

To the Editor of the Bombay Gazette.

SIR,

Your Correspondent who subscribes himself, Yacoot, has with such good humour assumed the character of a critic, without coquettishly investigating his fitness for the attempt, that I have been led to follow his example, and with the same good humour, (be it [illegible]derstood) shall proceed to indulge a similar inclination towards the "*harmless occupation of writing.*" With respect to the performance of what Yacoot honors with the appellation of "Sheridan's best Comedy." I will (and did without any knowledge of the performers) observe that it perhaps had been better, had a less highly finished play been selected for the patriotic purpose to which that performance, was dedicated, in which case, I conceive the probability of satisfying the eye, and ear, of taste would have been considerably encreased.

Far from the presumptive style of the present age, your Correspondent informs us, that he has not sufficient vanity, to rank himself among the literati of Bombay which place however, he has dignified with a Grecian appellation which would have been more in *character*, *taste*, and *keeping* with the remainder of his letter, had its Grecian characters been preserved, the more so as quotation appears to be his forte, and is (to peruse his metaphor) the finishing shade, most liberally bestowed in Italian, French, and English throughout his painting. I too, have travelled, Mr. Editor and in Italy itself, have learned how true it is that this is the age when "Pedantry gulls folly" and in the language of the same noble author, perhaps Yacoot may some day be inclined to confess,

"He dont pretend that he quite understands
"His own meaning when he would be *very* fine.

The allusion to Correggio's picture is striking, but that our critic has strangely mismanaged his own Chiaroscuro, must be glaring even to persons of no pretentions to virtu, for example, when he confounds Sheridans character of Sir Anthony Absolute, with the performance of the Gentleman who the other night supported it, I quote his own words in support of my assertion. We are told that the *character* of Sir Anthony Absolute "*is* "well defined in the outset, *takes* its natural part "in, and *arrives* at the conclusion of the per-"formance highly wrought up, and in perfect "preservation."

Now let me ask who it is our critic is eulogizing, Sheridan, or Captain S, if the former, how are we to account for his next sentence which runs thus.

"The only thing wanted was a little more ani-"mation in the scene where he proposes the mar-"riage to his son."

Query—was Yacoot cultivating an *exquisite perception of the beautiful* when he wrote this rigmarole, or were his wits wool gathering?

He graciously adds.

"Altogether however Captain S. is a good actor."

I's it too much to say.

Altogether however, Yacoot is a bad critic.

I shall not follow Yacoot through his undue praise of either the character of Acres, or it's performance, (it is hard to say which) or his too severe censure of the personification of Young Absolute, whom I conceive Sheridan intended for a careless fashionable, with a dash of wit, and not for the high wrought character he represents him, and shall only hint at the unfairness of expecting *good acting* from either Lydia, or Julia. The pun at the end of Yacoot's letter is worthy of the criticism contained in it, and with the same kind consideration he has shewn towards others, let me in conclusion advise him to quit both puning, and criticism, and rather to indulge that vein of pathetic description of himself, his life, and adventures which he appears so amply to possess.

I am

Mr. Editor,

Your very humble servant,

VIATOR.

BOMBAY,
December 20th.

To the Editor of the Bombay Gazette.

"A fool might once *himself* alone expose."

Sir,—Had your correspondent *Yacoot*, whose communication appeared in the last *Gazette*, confined himself to his own vanity, affectation, and self-conceit, so copiously interspersed, in his *balderdash* about the last play that was performed at our theatre, silence would have been the proper contempt for such a production. To those who had the pleasure of witnessing that admirable performance, *Yacoot's* strictures carry their own antidote: but the case is different with those who were absent, and at out stations.

You are aware, Mr. Editor, that, the recent performance was for no ordinary occasion. The gentlemen who so hansomely came forward for this benevolent purpose, allowed their names to be published, to give *eclat*, and attract an audience, from the best of motives—relief to the distressed. How must those gentlemen feel, to be wantonly dragged before the public, and attempts made to hold them up to public ridicule! The Bombay *boards* have justly been celebrated for aconcentration of Theatric-talent: but few will chuse to enter the lists, or continue their exertions, if they are liable to be aspersed, by unjust caricature, and vile insinuations.

Admitting, for the sake of argument, what has only been insinuated, that "the part was forced upon" the gentleman who personated Captain Absolute, his compliance in undertaking that part, if contrary to his own judgement, rendered his exertions, for a benevolent purpose more praiseworthy, than had he been actuated by self motives of vanity, on an ordinary occasion. And to be dragged before the public in such a manner by an anonymous scribbler, is a violent outrage of decency and social order,—even had he failed in sustaining that character:—the reverse of which was obvious by the applause of a genteel audience.

It is foreign to my purpose to follow *Yacoot* through all the maze of quibbling and insinuations so rudely commingled. You have, admitted the bane, and it is not likely you will withhold the antidote: as you are perfectly aware, that gentlemen who volunteer their services, particularly on such an occasion do not diserve to be held up to public ridicule. And on *no* occasion ought Gentlemen *Amateurs*, to be treated as mercenary performers.

I shall conclude, Mr. Editor, in the language of *Yacoot;* recommending to you "a sturdy op-"position to the dictates of all pretended con-noisseurs." And "for god's sake let us have no more of such impertinent meddling."

I am,

Sir,

Your's Obediently.

ONE OF MANY

Dec. 20, 1822.

To the Editor of the Bombay Gazette.

What I write is most true, ——— I have a whole Book of cases lying by me, which if I should set forth, some grave Auntients would be out of charity with me.

Si, libre quelque fois, mais sans Malignité,
Je me laisse entraîner à ma vive gaité,
Il me faut pardonner ce tort involuntaire.

DARU.

SIR,

The polite attention with which you met my last letter, though sent but a few hours before your paper issued from the press, has induced me to trouble you again, previous, however, to entering upon a new *Rigmarole* (I love this word, it's so expressive of any own pursuits and inclinations) perhaps you'd like to know at what I aim? Why of course, Mr. Editor, to *enlighten* you, and your readers; "To give them a peep into "my knowledge box;" and more is to be found there than is dreamt of in your Philosophy. Though first let me declare, that I must and will have my own way,—adopt my own method.—or rather no method; you must not attempt to direct me; I protest against it; I shall revolve, and circumvolve, as *centrically* and as *eccentrically*, as I please: whether in courtesy, or in gravity, in graciously smiling upon *myself* and *thee*, in fantastic smiling upon others, "in the "goodly ornature of well apparelled speech, and "the commendation of wise sentences"; in ecstacy at the sight of Mrs. P****'s curls (made of French ribbon) or of Mrs. —— "Ichee mi Gooi's" wig just imported in the "James Sib-"bald;" of E——'s stays, or the new step of a S——'s Lady, taught her by M—— J——; whether I discourse upon all or any of these *interesting* and *delectable* themes, recollect I am at discretion:—well then! but, stop one moment, and read the following *Morceau* I've just received from an EXQUISITE.

Ya Yacoot,—

I sometimes look at the *outside* of the Bombay Gazette as it lays upon the breakfast table (huddled among the other periodical things which I never dream of reading) and, it is very likely, the *inside* of the paper would have for ever passed by me unheeded "like the idle wind which we regard not;" if I had not heard the other day at the M——, that "there was matter in't" which might be read with some profit and little trouble: this good character, and from such good authority (for some of the members of the L—— S—— were present,) induced me last Wednesday to

the paper up. I dipped here and there over your letter whilst at breakfast; I'll tell you what I had for breakfast—*pas un dijeuné à l' anglais, moncher fait du Beef-stêk, du Coontrey Capitaine, et du Kedgeree*, but the best chocolate à vanille (bought at Gama's,) with orange marmalade, and long sweet rusks, "commonly called queen-cakes at Bombay."—We were a tolerable large party; there was L——, and F——, and B——, and G——, and E——, and S——, among others; our *Salon* was quite *en champêtre*, for we had BIRDS, and FLOWERS, and SNOW to cool our CARAMELLES.

We met again at dinner, and over our Claret, it struck us that it might be a good medium, through which, not only to clear away that cloud of Errour which has pervaded every production professing to give a picture of the *finished* state of Society to which *we* belong; but also to throw a new light upon those *below* us; and to shew to every pretender the utter hopelessness of any endeavour towards reaching our *Splendid* and *Superbe* height: that henceforth, no Icarus may try his wing to his own destruction. This is *some* of the good we contemplate,—our design is very comprehensive, and we doubt not our power to realize what we propose; for *l'homme bien nourri, connoit tout ce que se passe partout.*

We therefore intend to send you from time to time, (for insertion in the Gazette) such sketches of the things about us, as we may be "I' the vein to make."—and first of all, "Take my "counsell that is, never to meddle with players, "for they are a people mightilie beloved; I have "knowne one of 'em in prison for two murders, "and yet 'scaped scot-free; knowe this Sir, that "as they are merrie, joviall lads, all men love, "honour and helpe them, especially if they be "the kinge's Players; and all of them in their "fashion and garbe are Gentlemen like.

Don Quixotte.

Besides, P——D——says. your critique was a vain unseemly production; a "bizarro imbroglio" dit il, "dans laquel on voit sans cesse les "efforts qui fait l'auteur pour imiter le style de "mon estimable Ami le Cap. G——,et sa de-"plorable *impuissance* de suivre les graces de ce "BEAU GENIE. Confusion dans le plan, carac-"tères outrés, et hors de toute nature, exageration "et affectation dans la langage, voila! il s'ecrie, "le jugément d'un NOIR sur le spectacle Ang-"lais——But I forget myself; where was I?—O! I think I said we could give you plenty of employment, for our amusements are as various as our capabilities of enjoyment are extensive.

Nought is for us too high, or aught too low. Not *low* in the vulgar acceptation—not degrading—for like Una among the satyrs, we *genuine* EXQUISITES always come out of every thing pure and spotless. *We* can touch pitch without defilement. A morning at the training ground; at Billiards; at a sparring match; or at H——s, is to us, as exempt from deleterious contagion in manners, as a *conversazione* at S——S——, is incompetent to make us *effeminate* in mind; nor does the *Intellectual* at W——s, or at B——s, prevent our *sometimes* unbending ourselves to the sports of the B——n——y B——z——r. We are proteus-like, and can change, yet be always the same; and, as the cameleon, we vary our hues to circumstances. Whether in our Drab Benjamins and spotted rollers in the morning, in crimson or blue *Squeeze* in our buggies, or white [illegible] drawing room, we are *toujours distingués*; [illegible] privilege to be by nature formed for elegant pursuits, yet not incapable of extracting enjoyment without taint from merely vulgar ones. *Our* order can invert all order, whether in the quadrille, or the occasional Waltz; whether in the *circle* or the *ing*, we are equally *Inimitable*, Ease, selfpossession, *la porte de Cavalier*, are our characteristicts; we attain elegant literature, and of course, elegant accomplishments, we can converse freely also on the *useful* sciences; videlicet; we can bleed a horse; can dock him; can nick him; or the old nick's in it; can relieve him of the lampas, and "other ills to which horse flesh is heir too,"—then we can ride, Great powers how we can ride! (I'll contrive, after the races, to send you a choice piece on the "fleet son of the Wilderness.) We regard the sex with warmth, but are never fulsome; we are always welcome to women, because, though frequently light and trifling, we are never insipid,—our lives, in short, are made up blended of the brightest hues—we are

Gay creatures of the Element.
That in the colours of the rain—bow live.

Never were characters, more really and widely dissimilar than are the *exquisite* and the *Dandy*. I have described the one, now let me try my hand at the other. The Dandy is not a man, but a mere graft upon the genuine stock. The body of the man, 'tis true (and barely that) with an effeminate *Soul*.—(mark me! not a woman's; for theirs is naturally noble—*with* a soul, did I say?—Psha?—"They have no souls"! they are weak—dull minded—They lisp, and they amble, and they jig; and certainly they "nickname God's creatures." They languish through quadrilles, and whisper their self-admiration to their deriding partners. Their bodies want the *Sap* which should make the branches flourish. *We* know them not; there is no sympathy between us; an eternal barrier divides us—In a word, *they* are not *les hommes bien nourris*.

My Correspondents letter is too long to give you any further extracts, besides 'tis CHRISTMAS Eve, and I must prepare for the joyful morrow. "Many happy returns of the day to you Mr. E. and you, Philo-dramaticus, and *you* Sir, "Spectator"—nay, never frown man, nor put a long face upon the matter. Do not we know one another? what need of ceremony among friends? We have all a touch of *that same*—you understand me—a speck of the motley. Beshrew the man who on such a day as this, the Eve of our *Great festival*, should affect to stand aloof. I am none of those sneakers. I AM FREE OF THE CORPORATION, and care not who knows it, he that meets me tomorrow, shall meet with no wise-acre, I can tell him. *Stultus sum*. Translate me that, and take the meaning of it to yourself for your pains. This is Christmas.

Without the door let sorrow lie,
And if, for cold, it hap to die,
Wee'le bury't in a Christmas Pye,
And evermore be jolly.

Mr. Spectator——Hem!—you look wise ——pray correct that Errour! or I shall either fine you in a bumper, or break the shins of your apprehension with a Paradox.——

You admire the sincere regard I have for B——'s talents when I tell him never to attempt comedy. I here re-iterate that counsel, and have strong reasons to believe that B——himself feels it is correct. *I* am not singular in my opinion; *he* does not think me "terribly severe or rediculous;" nor will he be deterred from again exhibiting his great talents to an admiring audience, because a humble individual, one Sir, who has no pretensions to call himself "a pretty fair judge of the Drama," ventured to say that he had a false conception of the character he enacted. On the contrary 'twill excite Emulation far more than the lavish praise which has been hitherto so indiscriminately poured forth; it is calculated rather to increase than damp the enthusiasm of an Actor. No whining accusation then of vanity and folly shall prevent my commenting freely upon a public subject; and that subject the Drama.

Vain as I am—I never annoyed thee I hope, with my quotations thou "Son of green Erin." I've one ready on the tip of my tongue, but 'tis too long, my paper is nearly full, and the printers devil tells me to be expeditious—so I'll protract this fools Banquet no longer——in sober vanity, let me conclude to thee Mr. Spec. I love a fool as naturally as if I were of kith and kin to him. When a child, with child-like apprehensions, with thoughts that dived not below the surface of the matter, I read those PARABLES, not guessing at their involved wisdom; I had more yearnings towards that simple architect, who *built his house upon the sand*, than I entertained for his more cautious neighbour. I repined at the harsh censure pronounced upon the tranquil soul who *kept his talent*; And, (prizing their simplicity beyond the more provident wariness of their companions) I felt a sympathy almost amounting to a *tendre* for those five thoughtless virgins.—I have never made an acquaintance since that lasted; or a friendship that answered; with any who had not something of the ABSURD in their characters. I adore an obliquity of understanding. The more laughable blunder a man commits in your company, the more proofs he gives, that he will not betray or overreach you.—I love the safety which such a hallucination affords; the security that a word out of season ratifies. And take my word for this, and say a fool told it you, if you please; that he who hath no folly in his composition, hath something much worse. It is observed that "The foolisher the fowl or fish, woodcocks—"snipes—cods heads &c. the finer the flesh "thereof."—and what are commonly the world's received fools, but such whereof the world is not worthy? The best, the most noble, and generous of our species, have all been so many darlings of absurdity. Reader—if you wrest my words beyond their fair construction, it is you, and not I, that are the FOOL.—

Adieu Mr. Editor—I'am tired; if you insert this you shall soon hear from me again.

YACOOT.

Tuesday night.

THE GAZETTE.

BOMBAY.

WEDNESDAY 25TH DECEMBER 1822.

The Ship Charlotte of this Port, Capt. Stevenson from China, arrived here on

Wednesday last, and on Friday, the Good Success, Capt. Thomas Poynton, and the Cornwallis Capt. Robert Graham, also from China, anchored in the harbour.

The following extract of a letter from Canton under date the 7th of Septem- may prove interesting to a portion of our readers.

"We have nothing new here The Opium Ships remain undisturbed outside, near Lintin; sales are dull 1400 Dolls. per chest for Companys Malva, and 2[illegible]00 Dolls. per chest for new patna.

The old Viceroy is expected back from Pekin in a few days. Report says he met with a very favourable reception at Court; but the best informed are of opinion that he paid very handsomely for the same; and that he is returning with empty pockets.

This poverty may probably render him quieter and more averse than formerly to interrupt the trade of the port; but he will, of course, endeavour to replenish his empty chests by some means or other.

At present, however, we know nothing of his intentions."

Sporting Intelligence.

The Kaira Races commenced on the 10th inst. when there being no candidates for the Sweepstakes, seven horses started for the Kaira Plate of a thousand rupees, weight for age, two mile heats, which was won with great ease by Captain Havelock's Clinker beating Fitz Eustace, Overton, Radical, Philwan &c. &c.

The first heat was sharply contested and six of the horses pretty well together for the first mile; when Clinker took the lead and kept it, his rider looking back to see what had become of the favourites.

For the second heat, Fitz Eustace was drawn, and Clinker again won easy.

TIME 1st heat 4 m. 17 S.

2nd——won in a canter.

The betting was at starting Fitz Eustace against the field even, and three to one the field against any other.

Bom. Cour.

Bombay.

ARRIVALS.—Dec. Lieut. H. James, 2d | 9th Regt.
Do. R. Humphreys, 1st | 2d Regt.
Asst. Surg. W. F. M. Cocherit, H. Artillery.
Capt. J. Johnson, 1st Troop H. A.
Major Geo. Sale, H. M. 4 h Light Dragoons.
Lieut. Wm. Wyllie, 2d Bat. 11th Regt.
Cornet Chas. Torin, 2d Light Cavalry.
Do. A. D. Gideu, 3d Cavalry.
Major J. Morse, 7th Regt.
Lieut. D. Carrol, 4th Light Dragoons.
Lieut. C. D. Pelly, 9th Regt. N. I.
Lieut. Irwin, 45th Regt.

DEPARTURES.—Asst. Surgeon. Edw. Milward, 1st. Extra Nat.
Do. A. Conwell, 2d | 3d Regt.
Lieut. J. Jervis, Artillery.
Lieut. R. Meldrum, 1st | 5th Regt.
Asst. Surgeon. W. F. Cocherell, 1st. Troop H. A.
Capt. J. Johnson.
Ensign F. B. B. Keene, 1st. | 4th Regt.
Ensign Isaac. Munt, 1st. | 10th Regt. N. I.
Capt. John Clunes.

NAUTICAL NOTICES, CHRONICLE and NAVAL REPORT

Bombay.

ARRIVALS.—Dec. 18th Ship Charlote, J. Stevenson from China, 18th Sept.

Of the Entrance of the Harbour, the Portuguese Grab Brig of War Onpelice, Commander Laurenco from Goa, 11th Dec.

20. Ship Good Success, Wm. Thos. Poynton, from China, 10th Sept. Singapore and Malacca.

Do. Ship Cornwallis, Robt. Graham, from China, 18th Sept. touched at Singapore.

21. Ship Bombay, H. Humphreys, from Calcutta, 10th Nov. 5 Dec. Point de Galle.

Ship Caroline under Persian Colors, Nacqudah Aga Musear, from Bushire 25th Nov. left Bushire, 6th Dec. left Muscat.

PASSENGERS.

Per Charlotte.—Lieut. Humphreys.

Per Bombay.—Mrs. Stewart and Child J. Stewart Esq. Mrs. Humphreys and 2 Children, Mrs. Dum and Child, Lieut. Irwin, H. M. 45 Regt. Mr. Bnyne.

DEPARTURES.—Dec. 18, Armed Ketch, Syrang Mussa Peerbhoy to Surat and Tankaru Bunder.

20, From the Entrance of the Harbour the Portuguese Grab Brig of War Onpelice Commander Lourenco to Demaun.

SHIPS LOADING.

English—Ship James Sibald, for London.
Barkworth, for ditto.
Upton Castle, for ditto.
Waterloo, for ditto.

Calcutta.

ARRIVALS AT KEDGREE.

NOVEMBER.—25. French Ship Bourbon, F. Bernelot. Commander. from Bordeaux 14th May and Bourbon 11th October.

27. Ship Nerbudda, F. Patrick, commander from Bombay 5th October and Tellicherry 21st October.

28. Ship John Taylor, George Atkinson, Commander, from Liverpool 4th July.

29. Ship Prince of Orange, J. Moncrief, Commander, from Van Diemens Land 12th September.

OFF CALCUTTA.

25. Luz, (P.)—28 Burton, (F) and Indiana.

PASSENGERS,

PER SHIP NURBUDDA.—From Bombay,—Mrs Capon. and two children,

From Tellicherry.—Mrs Col. Ludlow and child.

EXPECTED TO SAIL.

Ship Lord Hungerford, Captain C. Farquharson, for London, via Cape from Diamond Harbour about 10th December.

DEPARTURES FROM CALCUTTA.

24. Ship George the Fourth, J. W. Clark, Commander, for Bombay, via Ceylon and Malabar Coast.

20. Ship Ospray, A. McGill, Commander, for Greenock.

28. Ship Gloucester, W. W. Wyatt, Commander, for Penang.

DEPARTURES OF PASSENGERS.

PER COLUMBIA.—To Calicut.—Mrs Poe. Miss Poe, Master Poe, and Master W. Poe Miss Molloy and six native servants.

To Bombay.—Miss Hodgkinson and Mr. J. Lowes.

PER OSPRAY.—To Penang.—Master Francis Knight, and Master Henry John Thomson.

PER SHIP GLOUCESTER.—To Penang.—Mr. Brown and three natives.

PASSED TO SEA DURING THE WEEK.

Adonis and Henry, (Amr.) and Ceneus, (Brig)

PROGRES OF VESSELS,

At the following Stations on the 30th November.

DIAMOND HARBOUR.

Remain,—H. C. S. Astell, with the Johanne Maria (Danish) George the Fourth and Golconda outward bound, and Providen[illegible] and Nerbudda, inward bound.

Passed up,—Prince of Orange.

KEDGREE.

Remain,—H. M. Frigate Glasgow, with the Mary Ann, below Light House, outward bound.

NEW ANCHORAGE.

Remain,—H. C. Ships Prince Regent, Asia, Dorsetshire, Warren Hastings, Marchioness of Ely and Winchelsea.

General Register of Marriages, Births, and Deaths.

Bombay.

MARRIAGE.

On Monday 15, of December 1828, by the Revd. J. Carr. Lieut. Thomas Say, of the 2d Battalion 5th Regiment Bombay Native Infantry to Harrietta, eldest daughter of W. Hill, Esq. Glastonbury Somersetshire.

BIRTHS.

On Thursday the 9th instant, the Lady of John Sandwith Esq. of a Son.

On the 22d Instant Mrs. Wesencraft of a daughter.

DEATHS.

At Aurungabad on Sunday the 8th Inst. of a Bilious Fever, Sarah Anne, the wife of Captain John Morgan of the 12th Regt. Madras N. I. and Major of Brigade to a Division of the Nizam's Troops.

To a mind highly gifted she added those endearing qualities which universally secured affection and esteem; and those to whom her many virtues were intimately known can only appreciate justly the severity of that affliction which her untimely fate has created.

On the evening of the 13th Instant, near the Village of Hewra whilst on the March with the Battalion from Sholapoor to Poonah, Captain William Nash of the 2d Battalion 10th Regiment Native Infantry. In him the Service has lost an active and zealous Officer, and his Brother Officers will long lament the loss of a companion and friend justly endeared to them by his mild and conciliating manner.

At Bassadore on the 6th November last, Asst. Surgeon John Tod, Vaccinator Poonah division of the Army,

On Wednesday the 19th Instant, at the Presidency, after a painful illness of two months, which she bore with the almost patience and resignation; Frances, the Wife of R. T. Barra, Esq. aged 37 years;

It may be truly said, that in her discharge of the relative duties of life, she was exemplary;

A virtuous and most affectionate Wife, the tenderest mother, a sincere friend and a true Christian;

Her soul resteth in peace.

Yesterday, 20th Instant, at the Presidency, Mrs. Meall, wife of Major Meall.

At Bushire on the —— ultimo, Lieutenant William A Welland aged 18.

Calcutta.

BIRTH.

At Meerut, on the 1st November, the lady of Captain E. F. Waters, of the 17th Native Infantry, of a son.

On the 19th November, Mrs. G. T. Gibson, of the firm of Robert Gibson and Co. of a daughter.

On the 21st November, Mrs. John Buckland, of a daughter.

On the morning of the 22d November, the wife of Mr. Thomas Gregory, of the General Department, was safely delivered of a boy.

DEATHS.

At Nusseerabad, on the 6th November, Captain William Hales, of the 2d Battalion 29th Regiment Native Infantry.

On the 20th November, after a lingering illness of fever, at the house of Capt. Eastgate, near circular road, Master Frederick Wm. Steele, son of William Steele, Esq. Custom House D[illegible] and Nephew of Captain Mahon, Commander of Ship *Agincourt*; much and deservedly regretted by all those who knew him, aged 13 years.

On the 21st November, George Abbott, [illegible] Head Assistant of the General Post Office [illegible] years.

Madras.

MARRIAGE.

At Hyderabad, on the 16th ultimo, by the Revd. Mr. Harper, Major Robert Murray, of H. M 30th Regiment, to Amelia Ann, eldest Daughter of Samuel Brown, Esq. formerly Vice President of the General Post Office, London.

BIRTHS.

At Vizanagrum, on the 11th November, the Lady of Captain Hodgson, 17th C. L. I. of a Son.

At the Presidency, on the 25th ultimo, the Lady of P. Cleghorn, Esq. of a Daughter.

At the Presidency, on the 24th ultimo, the wife of Mr. Conductor Lyte, of a Son.

DEATHS.

At Madras, on the 26th ultimo, Brevet Captain and Lieutenant Godfrey Greene, of H. M. 34th Foot, aged 29 years.

At Persewalkum, on the 18th ultimo, Mr. John Leech, Conductor of Ordnance in the 24th year of his age.—Those who have been acquainted with this young man will have discovered those faculties so essential to the character of respectability, and that while his merit personally enhanced the humility of his rank, his qualifications appear designed for an exalted station in life; his loss is regretted by his family and friends with increased poignancy from his premature death.

At Negapatam, on the 19th Nov. after a short and severe attack of the fever, Mrs. Caroline Jeffrey, relict of the late Mr. Mark Jeffrey, aged 55 years.

Calcutta.

From the *John Bull* of this morning we have seen a copy of the address which was presented on Monday last by the Grand Jury to the Honorable Sir FRANCIS MACNAGHTEN, as also his Lordship's Reply. Never was there a tribute of respect more sincerely paid, and never was there one more unquestionably merited.

ADDRESS

To the Honorable SIR FRANCIS MACNAGHTEN, *Kt. Senior Judge of the Supreme Court of Judicature at Fort William in Bengal.*

MY LORD,

We the Grand Jurors for the present Sessions, having completed our investigation of the several Presentments which have been laid before us —beg leave before we this day receive our discharge, to approach your Lordship with the expression of those sentiments which have been excited in us by the contemplation of your Public Career, during the period of nearly 12 months that you have individually discharged the high and honorable duties of your exalted office.

That the Performance of the important functions which the Judges of this Court are delegated to discharge should have so long devolved on one Individual is an occurrence quite unexampled at this Presidency—and we feel that we only re-echo the voice of this Community when we say, that the services which your Lordship has rendered to it, have not only demanded, but received the warmest approbation from a grateful Public.

But, independently of any acknowledgement which we can offer, we are aware that your Lordship could not possess a nobler proof of the character you have acquired than can at once be collected from the records of your own Court. To these, we are assured, can immediately be shown how much business has increased, whether with regard to the number or magnitude of instituted suits, and than this no better proof could, we think, be adduced in support of the consciousness which the Public entertain of your upright, just, and enlightened view of Law, under the influence of those principles which should ever be the distinguishing characteristick of a British Judge.

Impressed, therefore, with such feelings, and contemplating the probability of this being the last occasion upon which a Grand Jury may be assembled whilst your Lordship continues to be the sole dispenser of Justice in this Court, we trust we shall not be deemed presumptuous in tendering, previous to the acceptance of our discharge from the share we have borne in the duties of the present Sessions, our warmest acknowledgements of such eminent services, and our fervent desire that in whatever situation your Lordship may ultimately be placed, you may long live to enjoy the retrospect of that conduct which has always dignified and adorned the Bench of this Presidency, and the more especially of those unexampled services during the eventful period that you were destined singly to preside over the distribution of British Justice in this, the metropolis of British India.

In thus giving utterance to our sentiments we only discharge a duty which your Lordship's administration has rendered imperious, and to the tribute we have already offered, it will further prove a source of peculiar gratification if you will permit us to express a hope that your Lordship will honor us by sitting for your Portrait as a suitable memorial of the admiration and esteem entertained for your judicial character. In preferring this request, we are assured too that we are only anticipating a wish which the community in general most anxiously entertain.

We have the honor to be with the highest respect and asteem,

My Lord,

Your Lordship's most faithful and humble Servants,

JOHN TROTTER, FOREMAN.

S. Lapimaudye,
A. C. Seymour,
B. Fergusson,
J. Taylor,
H. P. Russell,
J. Abbott,
F. T. Hall,
R. Robertson,
R. Statham,
J. Macneight,
J. Small,
A. F. Lind,
W. Patrick,
T. Clarke,
J. Ragshaw,
P. Y. Lindsay,
W. Nisbett,
T. Hutton,
C. Morley,
A. Wilson,
B. Roberts.

REPLY

To JOHN TROTTER, ESQ. *Foreman, and his Fellows, the Grand Jury of the City of Calcutta.*

GENTLEMEN,

In performing the various, and important functions of our Judicature during the time I have sat alone upon this Bench, I certainly experienced much anxiety—but after having had my conduct approved of by the Grand Inquest of Calcutta—after having been assured by you, Gentlemen, that my humble efforts have given satisfaction to the Public; I think no longer of my past cares, and I consider myself amply requited for all the personal inconvenience which has fallen to my lot.

My claims to your approbation may be easily recited. As to enmities, I thank God, I have none—I am unconscious of having been actuated by favor, or by fear. It has been my wish to protect, and to maintain, every man in his own proper rights; with very moderate talents I have endeavoured to do my duty—and I presume to say, that according to my ability I have been a faithful servant in the administration of Justice—but if an honest intention is to have the currency of merit, at will be owing to the stamp of your authority.

Your partiality towards me has been manifested. And it is most grateful to my heart, to know that I am regarded with feelings so kind by my fellow citizens. Yet with a sense of my own imperfections, I am well aware that from rigorous judgement, I could not have expected such an offering of praise.

If I failed to acknowledge that I am not entitled by services to the high distinction which you have conferred upon me; I should indeed be more unworthy than I am, of your good opinion, and although I trust your flattering communication will not betray me into an over weening estimate of my own deserts; I believe I keep within the bounds of just and honorable Pride, when I assure you, that I think my reputation greatly enhanced by this testimonial, and that I shall preserve it as a record of inestimable value.

I need not add that I shall be most happy to comply with your desire respecting my portrait; for I cannot but wish that the decree which you have pronounced upon my Judicial character, should be perpetuated.

I have the honor to remain,

Gentlemen,

Your most faithful, sincere, and humble Servant,

F. MACNAGHTEN.

Monday, the 18th Nov. 1822.

The India Gaz. Nov. 21.

SUPREME COURT.

CALCUTTA, SATURDAY, NOVEMBER 23D, 1822.

Richard Foley v. James Smith.

This was an action to recover payment of the penal sum of Sa. Rs. 62,042 on a Bond dated 4th August 1822, granted to the Plaintiff, Merchant at Cawnpore, by the Defendant who was formerly an Indigo Planter at Cawnpore, and, is now a Debtor in Calcutta Jail.

Mr. WHEATLY opened the pleadings and the ADVOCATE GENERAL who followed as leading Council on the same side, put in the Bond, and proved the execution by the evidence of William Gee one of the subscribing Witnesses.

The Defence set up by the Defendant consisted of four Pleas 1st *Non est factum;* 2d Duress; 3d Imprisonment; and 4thly Fraud. The Witnesses examined were Mr. William Gee, of Cawnpore, Mr. James Duhan, and two Natives, a Hurkarah and Mihter in Mr. Smith's service.

Mr. FERGUSSON, was Counsel for the Defendant, who wished to establish that it was an arbitration Bond. It was proved that he signed it voluntarily only making some trifling objection to the word Banker being applied to Mr. Foley. It appeared also, that having been arrested, he was confined in a very filthy apartment, and that threats had been used towards him by Mr. Foley, but not that the latter threatened to injure him if he did not sign the Bond.

The Court gave Judgment in favour of the Plaintiff for the penalty contained in the Bond.

Ben. Hurk. Nov. 25.

THERMOMITRECAL TABLE.

CALCUTTA, THIRD WEEK IN NOVEMBER.

*** *Thermometer placed at a North Window in the Shade.*

November 1822.		Degs.	November 1822.		Degs.
Friday 15th	7 A.M.	70	Wednesday 20th	7 A.M.	frosty, 68
	2 P.M.	87		1 P.M.	80
	5 P.M.	84		5 P.M.	76
Saturday 16th	6 A.M.	72		6½ A.M.	60
	½ P.M.	90		2 P.M.	82
	5	84		5 P.M.	73
Sunday 17th	6½ A.M.	76	Thursday 21st	Much wind and dust all day, a very thick fog at night.	
	3 P.M.	85			
	5 P.M.	80			
Monday 18th	7 A.M.	frosty 74		7 A.M.	frosty 68
	½ P.M.	82	Friday 22nd.	12 M.	74
	4 P.M.	83		4½ P.M.	74
Tuesday 19th	7½ A.M.	67	Saturday 23rd	7 A.M.	58
	1 P.M.	80		1½ P.M.	76
	4½ P.M.	79		4 P.M.	75
HIGHEST RANGE.		90	LOWEST DITTO,		56

AVERAGE MEDIUM. 73

MEDICAL REPORT.

The general average of the Thermometer is lower—but on the 16th, the degree of heat was 90—at Noon, exceeding the heat of last week by *4 degrees!*

The cold increases: the morning and evening fogs, are more dense and thick than they were: a corresponding degree of care is therefore necessary to avoid them, and in a more especial manner, should CHILDREN be guarded from their effects.

The encrease of Cold, as the season advances, has produced a corresponding effect in the nature and change of Disease—Spasmodic affections of the Chest have prevailed with Coughs, &c.

FEVERS have by some means ceased: but the number of Cases, still kept up by renewal as before—Convalescents recover slowly from frebile attacks: but new cases do not occur in the same proportion. Chronic coughs, and asthmatic affections are renewed, and persons in otherwise good health, become subject to the general effects of "taking cold"—Rheumatisms are excited where they were not, and continue where they previously existed. Affections of the head prevailed, with cases of what is (truly called in this country *Half*-HEAD ACHE. Inflamatory *Sore Throats* have recurred in patients subject to this disease to which all such are peculiarly liable: and for the removal of which the *pepper Gargle* (as noticed in a former Report) is decidedly the most speedy and efficacious remedy.

The effects of intemperate drinking (*never to be* pitied, as a self-excited disease) have prevailed in a greater number of cases than usual; and all the delights of such degrading abuse of Constitution, in its consequent "Horrors", as it is no less emphatically than truly called, have been blissfully experienced. Happy Lex Talionis!—so amply secured, so richly *deserved* by the Votaries of Bacchus! with all the reminding hints of giddiness, headache, loss of appetite, debility &c. &c. &c. &c. !—!

FEMALES enjoyed better health—except invalids or such as are recovering from previous attacks, and *such*—cannot be too *cautiously guarded*, or too *affectionately prevented* from every possible exposure, and to allow of it at all, or in any degree, to the night air and fogs, would be a madness in those who have the care of them, or are at all interested in their welfare: A precaution to be most rigidly enforced. The same applies throughout to CHILDREN also: parental solicitude will do well to bear it in constant recollection.

Upon the whole the general proportion of Disease is again LESS, tho' *since* the last Report, it experienced 2 or 3 days of encrease.

P.

Durhamtolah, November 25, 1822.

Bengal Hurkaru, November 28.

Madras.

Hyderabad Races.—On Friday we noticed the extraordinary interest which had been occasioned at these Races by the defeat of the noble horse *Hetman*, and gave a brief account of the first and second day's running which we hope will be acceptable to our Sporting readers in the absence of the *official* details. We have as yet received no authenticated report of any of the running, but the same friend who supplied us with the particulars given on Friday has also furnished us with the following account of the third day's Sport, by which it will be seen that *Hetman* has regained his former high character. His defeat on the first day is attributed to the dreadfully heavy state of the Course.

The favourite horse *Looney* was also again beaten by *Clermont*, who had already won the first maiden, and the Galloway Plate of the present meeting.

RESIDENT'S PLATE 1½ mile heats 8s. 7lbs.—*Andrew* and *Hetman* were again opposed for this Plate, both started well together; *Hetman* leading by half a length, *Andrew* holding in until the last three quarters of a mile, when he came along side but could not head, and *Hetman* took the heat in the greatest ease in 3m. 11s. Course very heavy.

2d Heat—Both started well together. *Andrew* rating it, and making several desperate pushes in the last half mile to head, but *Hetman* won this heat in 3m. 4½s.

THE WHIM PLATE.—*Clermont* and *Looney* were again opposed, two mile heats, 8s. 5lb each, *Looney* got a good start but *Clermont* got along side of him after the first mile, and won the heat in 4m. 15s.

2d Heat—Both started well together, *Looney* waiting, but after several efforts he could not head *Clermont*, won this heat with apparent ease 4m. 17s.

The Meeting has not been so well attended this season as in former years, but the excellence of the Sport was never exceeded.

Letters from Cochin mention the launch on the 15th ultimo of the Sloop of War *Termagant* which has lately been built by contract at that place for Government. She is the last we believe of the four Vessels completed at Cochin. Owing to some accident she did not move off the Slips with the usual facility, and for some hours she remained in a very dangerous situation on the Sands—she was however, ultimately launched into her proper element without much damage, and this was affected by the prodigious exertions and good management of the crew of the *Liffey* and the men from the Dock Yards. The *Termagant* has been commissioned and will shortly proceed to England.

[*Sup. to the Mad. Cour.—Dec. 3.*

Ceylon.

CIVIL APPOINTMENTS.

The Lieutenant Governor has been pleased to appoint Major Charles Campbell, to be his Private Secretary.

By the Lieutenant Governor's Command,

(Signed JOHN RODNY.

Chief Sec. to Govt

Chief Secretary's Office, }
Colombo, 6th Nov. 1822. }

The French Brig *L'Eugenie* whose arrival is mentioned in our shipping report touched at Rio Janeiro on her way from France. The Master reports that two days previous to her quitting Rio or about the 18th August, the independence of the Brazils had been proclaimed, the Prince Regent being declared King, and the Constitutional Government established. He had not with him any Newspapers or copies of the Proclamation.

[*Ceyl. Govt. Gaz.*

English News.

PARLIAMENTARY PROCEEDINGS.

HOUSE OF LORDS, FRIDAY, JUNE 14.

STATE OF IRELAND.

The Marquis of LANSDOWNE brought on his motion on this subject. He prefaced it by an apology for his interference, drawn from the known disastrous state of Ireland, and the entire neglect of a remedy for her affairs, notwithstanding the manifold promises to that effect, held out through the whole of the session. He directed the view of the house to the harsh and forbidding system of legislation and government which had been pursued towards her during the last twenty years. From the failure of this severity to produce the ends designed, he inferred that a mistake must have been made in the cause alleged for the generally prevailing disorders in that country. He thought that the cause must be sought in some peculiarities of circumstance in the condition of the people. He proposed to their lordships to search for the root of the evil in the state of the population; considered with regard to their numbers, rate of increase, and means of subsistence;—in the general administration of justice among them;—in the burdens imposed on them, including the tithes;—and in the defective state of the magistracy, from the absenteeships which every where prevailed. He gave the following very striking view of the increase:—

Population in Ireland in 1695	was 1,034,000
1731	2,010,000
1791	4,200,000
1804	5,400,000
1821	6,840,000

The last increase he stated to be from a proportion of 3 1-9th acres to each individual, to that of 2 5-6th acres, a rate of population unequalled for its density in the whole world. The next view of this subject shewed that this population by no means implied an accession of wealth and strength to the kingdom. On the contrary the people were by degress pressed down to a lower state of existence than could have been conceivable—the smallest proportion of potatoes which could subsist the animal frame. He pointed out the abandonment of all moral scruples which must result from the hopelessness of a condition so degraded. The impossibility to attain the decent comforts of life must make them careless as to the acquirement of competent means to provide for a family—they would marry without consideration and go on swelling the population already too dangerously numerous. To this must be attributed in a measure the distress and the accompanying violence which had been witnessed in that country. He enumerated among the evils which aided this state of things, the use of the elective franchise—by which infamous politicians, for base and corrupt purposes, stocked the same farm with thirty, forty, and in one instance with ninety freeholders. His next consideration was the state of the public burdens—taxation having led to the most remarkable as well as baneful results. The addition of three millions of new taxes had caused the revenue actually to diminish from 1807, when the amount was £4,387,241. to £3,844,889. the amount in last year. He particularly instanced the pernicious effects of this fiscal mismanagement in reducing the consumption of tea and sugar. The decay of revenue was nothing when compared with the decay of morals—the growth of illicit distilation—the practised fraud, violence which were nurtured by it—an offence itself frequently sanctioned and stimulated by the landlord to get a better rent—committments by thousands, and the convictions scarcely less in number—the daring and

ed habits acquired in goals—thus converted into schools of rebellion and systematic disaffection—the readiness induced promptly to repair to quarters wherever the standard of insurrection should be raised. He next dilated upon the defects and abuses in the administration of justice—the great mischief which sprung from swelling the stamp duties—the practice of every kind which amounted to a negation of justice, in regard to the greater part of the population. His next topic was the depraved state of the magistracy, made so much worse by the number of absentees. He thought that government ought to hold out inducement to the landlords to remain at home, by reducing the taxes so as to enable them to live cheaper, and, by bestowing whatever honours or rewards were at the disposal of the crown upon them. He next developed the atrocities of the tithe system, with such power, force, and extent of description, that our limits allow no adequate room for even a brief recital of the statement and argument. He concluded a speech of two hours length by moving a resolution, "That it is the opinion of the house that the state of Ireland requires immediate consideration, with a view to improve the condition of the people, and to ensure public tranquillity."

The Earl of LIVERPOOL moved the previous question.

The Earl of LIMERICK, following the train of reasoning adopted by his noble friend in the motion, recommended a general commutation of tithes.

The LORD CHANCELLOR argued, *from the small number of appeals which came before him from Ireland, that the people could not be dissatisfied with the administration of justice.* As to tithes, he maintained that landlords had not a better right to nine-tenths of their estates than the clergy had to the other tenth.

The Marquis of DOWNSHIRE, Earl DONOUGHMORE, Lord ELLENBOROUGH, Earl of BLESSINGTON, and Lord DARNLEY, supported the motion.

Lord HOLLAND, in a speech which we cannot even sketch, criticised the conduct and arguments of government in respect to Ireland, with much spirit and severity.

Strangers then withdrew from below the bar; and their lordships divided, when the numbers were:---Contents 35, Proxies 25; 60---Non contens 66, Proxies 42; 108---Majority against the motion 48.

HOUSE OF COMMONS, FRIDAY, JUNE 14.

COUNTY OF KENT PETITION.

Mr. HONEYWOOD rose to present the petition of the nobility, gentry, clergy, and freeholders of the county of Kent, agreed to at a public meeting, held on Tuesday last. He expressed his approbation of every part of the petition, except the last clause, which he regretted had been annexed to the petition. He was convinced, however, that such a clause would have never been agreed to if the house of commons had done its duty, by forcing upon ministers a system of economy and retrenchment.

Sir E. KNATCHBULL said, when the clause was proposed to the meeting, a considerable pause, as if of astonishment, ensued. Some time elapsed before any body had the confidence to second the motion. During the whole of the time the great whig leaders, who had called the meeting, were silent, and expressed no opinion, in respect to the clause, but afterwards he was sorry to perceive that some of them approved of it. He felt indignant that the whig gentlemen who were present at the meeting, should have permitted such a resolution to be proposed—a plan of such a character.—(Cheers.)

Lord J. RUSSELL knew of no such thing as a question of the claims of the public creditor.—(Hear) Reform was totally unconnected with such a principle. Although the war was understood to have been declared against the sense of the great majority of the nation, which he did not hold, yet if it were so, this house was still the representative of the people, and the debt contracted by it, the nation was bound to pay. For this principle he could appeal to many instances of other nations. He could appeal to the cortes of Spain, who though they had succeeded to one of the most vicious of despotisms, yet considered themselves bound to provide for the debts contracted under that despotism. To a reduction of such a claim he could not consent, but in the case of an overwhelming necessity—under the pressure of which all parties, and ministers, opposite, would coincide with the public.

The Marquis of LONDONDERRY could not have supposed that the noble lord would have hesitated to condemn a proposition so prejudicial. But he could not without pain, hear the noble lord suppose a case of failure in our faith towards the public creditor. He never supposed the noble lord would be capable of consenting without an overwhelming necessity. But when necessity bore down all barriers, there could be no consent. The claim of the public creditor was as good as that of the Duke of Bedford; and, talking of despoiling the public creditor was no more to be endured than talking of despoiling the Duke of Bedford of his noble possessions. Niether could be done but by a violent overwhelmiug necessity, in which no consent could be given. Upon parliamentary reform he did not wish to say any thing.

Lord JOHN RUSSELL begged to correct a most extraordinary misunderstanding of the noble lord. He alluded to a necessity arising from a state in which the people were not able to pay—when the state would require a reduction of the claims of the public creditor.

The Marquis of LONDONDERRY said, in such a case there would be but a postponing of the public claims. What he had objected to was, coupling the ward "consent" with such a necessity.

Lord JOHN RUSSELL was willing to retract the word "consent," since the noble lord wished it; but he did not know that the noble lord was such a critic in language.—(Cheers and laughter.) His conviction was, that the leaders at that meeting had been carried away by the sense of the meeting, and that the meeting was carried away by the measures of the noble lord.—(Hear.)

Mr. BROUGHAM said, there seemed to be two or three objects in the view of the noble lord and the hon. bart. on the otherside, when they attacked this petition. They cast blame on the leaders of the whig aristocracy —(No, no,) He was sure he had heard the hon. bart. cast blame—

Sir E. KNATCHBULL.—I only expressed regret.

Mr. BROUGHAM.—Well, be it regret; and regret—the most tender regret too—was often more expressive of blame than the directest charge—(hear, hear.) If the amendment was carried by the meeting, then the whig leaders escaped; if by the whig leaders, then the meeting could not be blamed. Why had not the whig leaders come forward to open the eyes of the meeting, and resist the torrent which was pouring in by strangers? Then, if they came forward, they would have been successful. There was no way of getting out of this dilemma. As far as grievances stated, and parliamentary reform was prayed for, no man could say that the petition did not express the deliberate and reflective sense of the meeting. An addition was adopted from want of due discussion and explanation. He hoped the consequence would not be what the noble lord named, and that meetings would have the weight and credit which justly belonged to them. He hoped and trusted, that the people of England would continue to meet, to present their distresses and their causes to the house, or, when they were not sitting, to the crown. So far as propositions of that kind were brought forward, it would be ever for the public credit to discuss them. The more freely they were discussed, the better for the public credit.—(Cheers.)

The Marquis of LONDONDERRY denied having said a word against county meetings generally, or having depreciated the sentiments put forth by such assembles.

Lord CLIFTON said, that it might seem odd for a man to accuse himself;—but he did think that the whig leaders had wanted spirit at the meeting.—(Loud cheers from ministers.) How Mr. Cobbett had got possession of the meeting he could hardly conceive, unless from the circumstances of his having spoken towards the close of the meeting, and amidst something of the confusion which generally attended the breaking up of such bodies—(Hear, hear.)

Sir F. BURDETT objected to see his honfriend (Mr. Honeywood) exposed to such a pitiless storm from both sides of the house, and he thought that the noble lord on his right (Lord Clifton) had expected too much from the whig leaders at that meeting. What was meant by whigs and tories now, he scarcely understood: they were generally, indeed, alike, that when they changed sides in the house, he mistook one for the other. The hon. secretary said, that he like the plain dealing of Mr. Cobbett better than the mystery (as he termed it) of the member for Winchelsea. Now, he was glad that that plain dealing was gratifying to the hon. secretary, because the hon. secretary was in a fair way to have a great deal of it.—(Cheers and laughter.) Then, let not the noble lord opposite seek to engage the house in a warfare with the public. The noble lord would find the country disposed to make every reasonable or necessary sacrifice, although not inclined to be the dupe of sophistry, which almost every ideot could see through,—(hear, hear),—or of mock plans of retrenchment, which ended in the imposition of additional burdens upon the people.—(Great cheering.)

The petition was now ordered to be laid on the table.—On the question that it be printed.

Mr. BROUGHAM said the French Convention, in its wildest and most visionary moments, at the time when it was controuled by every mob and club of Paris, never voted "that it is the opinion of the National Convention that the *assignat* is of the nominal value of a lous d'or of Paris." They never dreamt of such a thing: such inconsistency was left for the British house of commons. The right hon. gentleman (Mr. Peel) had praised the petitioners for the bold manner in which they had made the request, and that it was more manly than any round-about and insidious attempts at the same object. If the right honourable gentleman had meant to allude by those terms to the intentions of gentlemen at that (the opposition) side, he must tell him that he was wholly mistaken. Let him look around him, and he would there find those who, by insidious and round-about measures, began the system by which the public creditor was so much injured. He would there find the abettors and supporters of a fraud carried on by insidious, unmanly, base, and, he would say, treacherous, as well as violent measures—measures from the effects of which the country was not yet recovered, nor likely to recover, under the present system of management.

Mr. PEEL said, that whatever faults the hon. and learned gentleman might have to accuse him of, underhand dealing would not be found amongst the number.

The petition was ordered to be printed.

ALIEN BILL.

Mr. PELL moved the second reading.

Sir JAMES MACKINTOSH.—We had had biennial Alien Bills; he knew not whether annual Alien Bills had been introduced since the peace. In 1814, we were not to act on principles of too great security. In 1816, France was still in an unsettled state. In 1818, there was such a num-

her of journalists and other emigrants, as might be dangerous, without the power to send them off at pleasure. But it was singular, that in a few months France had recalled those emigrants as if to refute the arguments of her English allies. In 1820, the Alien Bill was necessary, to prevent the Calabrians from collecting meetings at Manchester. and the Parguinotes from exciting sedition at Birmingham.—(Cheers.)On looking back with the eye of history at those pretexts, one could not help smiling at the willing simplicity of those who seemed deceived by them.—) Hear, hear.) Those pretexts, however, recognized a temporary necessity; but now a new condition of things had arisen. The question now was, whether they would engraft as a principle on the constitution what the folly of their ancestors had never thought necessary, but what the wisdom of the present age deemed expedient.---(Hear.) It was necessary to advert, therefore, more particularly to the circumstances of the present times as affecting the policy justice, and humanity of this bill. The first objection to the bill was that it reduced to slavery 25,000 foreigners in this country. The second was, that their slavery inured the people to oppression, and the government to despotism ; and was therefore the last measure which a wise minister would desire, or a free commonwealth establish.—(Loud cheers.) The third objection was, that a knowledge of its existence prevented illustrious victims of oppression from seeking refuge on our once hospitable shores. They would not choose to trust men, though willing to trust law.—(Cheers.) On their very landing a brand would be impressed on their forehead, and they would thus be marked as fit objects for the malicious vigilance of every ministerial hireling.—(Hear, hear, hear.) These were objections to the existence of the bill, and arose in no way from its abuse. Nothing was ever so disgraceful to a ministry as to place menacing centinels at the gates of the country to debar the victims of oppression, whom it had once been our pride to protect.—(Cheers.) But it was said that this was an age of revolution. That was the strongest argument against the bill. One country at least ought to be opened to the vanquished party. To enclose the victor and the vanquished in the same country was so abhorrent from every principle of humanity, that no civilized nation would sanction it. To permit the victorious party to wreak its vengeance upon the defeated party would lead to the most disgusting scenes of rapine and bloodshed; it was to drive into interminable warfare ; it was, in the words of the poet, to leave no chance of safety but in despair :—

Una salus victis, nullam sperare salutem.

Ministers desecrated that soil which had been consecrated by the footsteps of so many martyrs in the cause of faith and freedom.—(Cheers.) Our ancestors had provided that accused foreigners should have half of the jury foreigners : now they were sent out of the country without trial at all. They who had decliamed incessantly on the wisdom of our ancestors were the first to abandon it.—(Hear, hear.) But the ground of the bill was this : " Unless the crown be invested with power to remove foreigners at pleasure, conspiracies will be daily entered into against the peace and security of other kingdoms." Was the prevention of such conspiracies a duty which by the law of nations one friendly country was obliged to perform to another. If it was, then a regular establishment of spies to detect conspiracies was necessary. Each despotic government must have its appropriate establishment of spies.—(Cheers.) A battalion of spies regularly arrayed, organized, pensioned, and rewarded, must be appointed for the most sacred and legitimate government of Turkey, which was now in most danger.—(Loud and repeated cheering.) But he defied any gentleman to find a single word in the law of nations to favour such a doctrine. If such a principle were admitted, then we were bound to drive from our shores any person whom a friendly foreign government denounced as dangerous. But in 1803 we manfully refused to banish the Bourbons at the request of Buonaparte, though we had then an Alien Bill. The bill was not founded on the law of nations ; it was not warranted by ancient practice ; it was a surrender of the sovereignty of the nation. It was a law framed for all governments, however despotic, and against all nations however oppressed.—(Hear, hear.) It was a law for all who carried the monarchical principle with fire, and sword, and scaffold, and dungeon, against the groans and struggles, of every suffering people.—(Cheers.) It was applied to the fallen and miserable, who fled from a tyranny which they could not resist, and were thrown back by England into the remorseless fangs out of which they had escaped. —(Hear, hear.) Let the merits of the Holy Alliance be tried by the test of the first general epistle of the Marquis (Londonderry) to the faithful—(A laugh.) The noble lord there rejected the request to let foreign armies be introduced into England. The mere offer, independently of its direful purpose, was enough to make the blood of every Englishmen boil in his veins.—(Loud cheers.) The noble lord had said, that their principles would " destroy the independence of all nations, and the right of all subjects" and yet for their purposes he now proposed an Alien Bill.—(Hear, hear.) The unhappy and oppressed people of Italy, were the most afflicted specimens of relentless cruelty. They were sent to Hungarian fortresses, " to die so slowly that none can call it murder." A Roman nobleman,—he knew the fact,—was dragged by Austria from the neutral territory of the ecclesiastical states, hurried to Venice, tried by a secret tribunal, and condemned to death. The sentence was commuted to solitary imprisonment for twenty years in a dungeon under water. Men of education and talent were seen in chains, working on the highways in Lombardy and Piedmont for alleged political offences.—(Hear, hear, hear.) He would name the cases, but that it would be dangerous to the unimmolated. The allied treaties of the 20th of November, 1815, guaranteed the independence of Switzerland from all foreign influence. Prince Metternich, on the part of Austria, signed it in a sentence of barbarous Latin, in the true style of the German chancery.—(Cheers.) Yet this same Austria called for the *extratradition* (that was the phrase) of Italian refugees in Switzerland.—(Hear, hear.) Where was the remonstrance of Great Britain, a party to the treaty? Geneva alone saved her honour, but the refugees were obliged to fly to Mount Jura. If they turned towards France or England, a hollow sepulchral voice warned them :

Fuge crudeles terras.

He could see from the smiles and contemptuous expressions of gentlemen opposite, that he was improperly detaining them from enacting their bill.—(Cheers from both sides.) Was it because despotic principles were suffered to scourge mankind in other parts of Europe, that in England they should be introduced as a matter of course? Suppose the great emperor of all the Russias, whose mouth was always full of pious ejaculations, and whose ear was always open to the liberalization of mankind, should suspect the allegiance of Poland,—imagine the Poles unmindful of the good faith and humanity of their conquest, and doubful of the promises of his humane and pious grandmother of glorious memory—(cheers);—suppose they should ungratefully become refugees in this country, and traitorously conspire for the restoration of a monarchy recognised by the civilized world, before Muscovy emerged from barbarism. Suppose such a struggle were made by the Poles, was there an Englishman who would not pray for their success, and implore, in the dispensations of Providence, that retributive justice, which seldom, in the lapse of ages, failed to administer relief to the oppressed, and chastisement to the oppressor?—(Great cheering.)—It was impossible to prevent the people of the Ionian isles from assisting their countrymen but by tyrannical measures. Therefore, the Lord High Commissioner acted tyrannically when he endeavoured to enforce neutrality.—(Cheers.) Whether Russia would again sacrifice Greece, as in 177[illegible], he knew not. He trusted in God, that the Greeks possessed the means of making a stand against their barbarous oppressors ; it was a subject on which his feelings were strong, but his information imperfect.—" Above all things I trust, that the generous people of this country will not allow their government to join in the oppression of a renowned race, who though ' fallen from their hight estate,' call upon us for compassion, in the language of Socrates, and implore our assistance by the sign of the cross."—(Repeated cheers.) He moved as an amendment, that the bill be read a second time this day six months.

Mr. Plunket repeated a series of the statements of " the hon. and learned friend" in a negative form, asserted that the right of removing aliens formed part of the law of nations, argued that the right of the alien to withdraw implied a right in the government to send him away, contended that the crown could restrain subjects *ne exeat regno*, and could recal from abroad admitted that there had been no alien bill from the revolution to 1793, and announced that a revolutionary devil had then taken possession of the throne and public mind of France. The bill was the kindest and mildest measure which could be resorted to. The six acts had cured the mania of revolution in this country. The country occupied a splendid station by means of the late war, her conduct since, and her free institutions. But " the hon. and learned friend" made use of the vulgar cant of calling a crowned head a despot, and a revolutionary person a patriot and a sufferer.

Mr. Scarlett and Mr. J. Williams presented themselves at once : the former preceded, and defied his hon. and learned friend who spoke last, to find any pretext for the bill in the law of nations, and showed that the king could no more prevent subjects from leaving the kingdom by issuing a writ of *ne exeat regno* than he could send them to prison by a writ of *capias*.—(Loud cheers.) The king had a belligerent right to command the presence of his subjects, in their own country, but it was entirely belligerent. The hon. and learned gent. then entered into minute references to history and judical proceedings, which demonstrated the illegal and unconstitutional character of the arguments urged for the bill.

The house divided—Ayes 108—Noes 74—Majority for the second reading 34.

Adjourned at half-past one, till Monday.

BACON EMENDED.

Bacon set forth with admirable order and method the state of the kingdom at the close of Elizabeth's reign ; with a few very slight verbal alterations and omissions, the description will be found to apply most closely to the present times. We almost wonder, indeed, that some Tory Member did not discover the resembance, when Mr. Western quoted the passage on Tuesday week, but perhaps it wanted those little emendations and corrections we now give it, to be rendered applicable to the circumstances of the day.

" There was never the like number of fair and stately barracks as have been built and set up from the ground since his Majesty's reign, and whereof the meanest was never built for less thousand pounds."

" There was never the like pleasure of goodly woods and covers for game, adorning

mansion house, with store of spring guns, set in fair order of concealment to shoot, and tear off the limbs of those that wander or stray thereon."

"There was never the like number of beautiful and decent tombs and monuments, which are erected in sundry churches in honourable memory of the dead who fell victims of military executions."

"There was never the like quantity of plate, jewels, sumptuous moveables, and stuffs, in pawn, as is now within the realm."

"There was never the like quantity of waste."

"There was never the like husbandry of all sorts of grounds, nor less temptation thereto in respect of worldly profit and advantage, whereby the virtue is the purer, being cleansed from the dross of self interest."

"The gaols were never better built, nor peopled, nor the principal places of punishment better customed or frequented."

"The commodities and ease of the people filched by taxes, and brought into a new channel: of Peers that have been made; and the poor that have been forced and brought against the grounds, were never so many."

"There was never such complete and honourable provision of horse, arms weapons, and ordnance of war, as in this time of profound peace."

"There was never so many excellent artificers, nor so little work for them, nor so many new handicrafts used and exercised, especially that practised by his Majesty's servants, vulgarly called picking pockets and the like; nor new [illegible] pensions, and sinecures made within the land and the like."

"The fifth blessing has been the great population, and multitude of families exported within his Majesty's days; for which point I refer myself to divers Acts of Parliament, and sundry other tokens on record of the leniency of the government."

EMIGRATION TO SOUTHERN AFRICA.

We have been favoured with the perusal of a letter written by a person who, about two years ago, emigrated from this town, with his family, to the promised paradise of the Cape. This letter is dated the 9th of January last, and we regret to say, it fully confirms the accounts previously received, of the total failure of the crops, and the utter ruin of the new settlement. The following is an extract:

"I am sorry to inform you of our deplorable situation here: the wheat has entirely failed for two years together, which has been the total ruin of the whole colony. We have had government rations since we came, until the first of this month; but as far as we can learn, we are to have no more. The East India Company has made us a present of half a pound of rice per day, for each person above five years of age, from the 1st instant, and will continue it up to the 1st of April. What we shall do after that time, God only knows. There is no sale for any thing we have to sell; for every one has the same. Tea is 8s. a pound. Sugar 1s; but we seldom get any, having to live chiefly on potatoes, pumpkins, milk, and butter. Scarcely any kind of garden vegetables will grow; the country is so dry and hot. Last year potatoes grew very well; but this year they, as well as every thing else, are quit burnt up for want of rain. In the interior of the country the cattle are dying by hundreds, for there is no grass: but it is not quite so bad where we are. Being by the sea-side, we have sometimes showers. O! if we could get to old England once more, none should persuade me out of it. When we first came here, we liked the place very well, and laid out all the money we had in building. We have got a very good house; but when we leave it, we cannot sell it for a penny; for the land is not worth a shil-

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It is impossible, says the *Traveller*, to describe the depression of every article of commerce on the Royal Exchange. On the Baltic walk nothing literally can be transferred. The colonial market never was worse. For sugar there is no demand, unless by the grocers. The refiners scarcely make a purchase. There is very little money for foreign bills, and all the exchanges are on the advance. Dollars have declined to 4s, 9d, and gold to 77s. 6d., which is 4½d. under the mint price. Considerable shipments of bullion have lately been made to pay the first installments on the Russian loan.—There is a failure in the wine trade, and there are several disagreeable reports of some other branches of trade.

The Irish papers continue to supply very melancholy accounts of the extent of the suffering in the counties of Cork, Galway, Kerry and Mayo. A Dublin paper gives the following illustration of the causes of the present lamentable state of things in that country:—

"The state of this country is anamalous—every aspect of its affairs presents a striking contrast to the circumstances of other civilized nations. Famines have arisen from the actual scarcity of subsistence; but in Ireland, a famine rages amidst great abundance. This extraordinary state of things is the result of the general poverty of the people, which has reduced them so low in the scale of existence, that they are confined to one species of food, raised with little exertion. The labour of two or three weeks will produce potatoes sufficient to support a man for a whole year. To a superficial observer it might seem, that this circumstance alone would insure independence—but it is not so—a poor man contracts to pay. 10l. for *an acre*—an average crop will supply his family for a year but whence comes the rent? He trusts to the chance of being hired by others for ten or eleven months, and, if constantly employed at the rate of 1s. day, he will pay the rent, as the labour of his wife and children may produce something to defray the small charge of butter-milk, salt, and clothes. In this state the peasant is comfortable, as the force of habit has reconciled him to it, and, he will remain a peaceable animal; but reverse the picture—let us suppose that he does not find employment, and where is the rent?—it lies in the crop, and if distrained, the poor man and his family must beg or steal; and, in this state, he is a wild ferocious animal. But there is a third state, still worse, and we believe it is the exact state of a great part of the south and west of Ireland, at this moment—the crop fails, and there is neither rent nor food. If there was employment for labour, the failure of the crop, we mean the potatoe crop, would imply nothing more than the loss of rent, as there is always in Ireland, or in other countries, abundance of bread-corn, which the wages of labour would purchase—but there is no employment, no wages, and of course, no means of purchasing food; and thus the poor man must perish amidst abundance, unless relieved by the humanity of the affluent.—Such is the state of Ireland!"

One man was found dead on the road side at Ardcleggine, near Clare, Galway, who perished from starvation; the coroner's inquest returned a verdict "*that his death was caused by hunger.*"

LAW.

PALACE COURT.—(BEFORE BURTON MORRICE, ESQ.)

DEERHURST V. MARKHAM.

Mr. Earle stated to the Jury that the declaration in this case charged that the defendant, on the 11th April last, assaulted the plaintiff with sticks and fists, and destroyed his hat.

Mr. Charles Phillips rose, and said he should be sorry that in the outset of the cause it commenced by any, what [illegible] would be very unbecoming levity in [illegible] trusted that the reading an averment [illegible] aration, which his learned friend thought material would not induce the Jury to cast any colour of [illegible] ness whatever on the facts. If the facts which were stated to him were true facts,—if they were not coloured, but stated truly and precisely as they occurred,—he thought they would consider it a case, both as regarding the individual who claimed compensation, and as regarding the neighbourhood in which the defendant lived, requiring the most serious attention. The plaintiff was the son of a very poor woman, a widow, who was struggling to give him such an education, and such a profession, as she hoped, after her death, he depending entirely for subsistence upon her life, might, perhaps afford him an honourable independence. He, if persons were to be considered in courts of justice, stood under very disadvantageous circumstances, because his antagonist happened to be the son of a very elevated man, no less a personage than Admiral Markham. He trusted, however, and indeed it was the peculiar glory of the courts in this country, that persons had no weight one way or the other, and that the poor man coming to claim compensation for an injury done him, had, if he should establish his case, just as good a claim as one of the richest nobles in the land. It was the glory of our constitution, it was what the inhabitants of this country paid for dearly, and what, thank, God, they enjoyed most liberally. In the present stage of this business, he thought he should consult both good taste, good feeling, and the convenience of the Jury, as well as his own inclination, by not dilating in any way on the facts of it, by merely stating, and leaving them unaccompanied by a single comment. If his learned friends should deny the facts which he should state, not merely verbally, but by witnesses, he should then have an opportunity of addressing the Jury again, and expatiating on any attempt which they might make at a defence. The plaintiff was apprentice to a surgeon, and early in this year he purchased, or his mother purchased for him, a ticket, which entitled him to attend Dr. Brooks's Lectures. The ticket was purchased at considerable expence but it would have given a fully equivalent advantage if he had been able to attend the lectures. On the day in question, he was sent by the gentleman to whom he was either articled or apprenticed, to wait upon a person professionally, in the neighbourhood of Westminster-School. He proceeded to the house of that person, and finding that he was not at home, but that in the course of half an hour he would be likely to be in the way, the boy, recollecting the great distance between the patients and his own home, thought it would be better to loiter about a few minutes in

the neighbourhood, and call again in the course of an hour, and deliver his message. Accordingly, he was standing upon the stairs, looking at the boats passing up and down the river, when a boat approached the stairs, in which was a crowd of the Westminster scholars. These young gentlemen were playing tricks with one another innocently enough, and the defendant happened to slip and fall into the water. Whether he was irritated at his falling into the water, or the natural impetuosity of his disposition influenced him, he (Mr. P.) knew not, but he instantly came up to the plaintiff, accompanied by a crowd of his brother students, and demanded what he was laughing at. The plaintiff said, 'I could not help smiling at the accident, but I had no idea of offending you, and you are offended. I am exceedingly sorry for it.' That was as complete an apology as could be made for so very trifling an offence. He could not restrain the countenances sometimes; a man might innocently smile and if he made the apology, that ought to be done away with. This did not satisfy the young gentleman, and still less did it satisfy his companions; there was immediate shout set up, with the words—"Mill him, Markham; mill him, Markham;" one of the classical phrases of Westminster School. Dr. Goodenough was in Court, and he would say whether that was the phraseology he taught these gentlemen, "Mill him, Markham." If Markham attended to his master's, as well as he did to the advice of his fellow students, he would turn out one of the best scholars, for he did commence the milling match. He had little credit in it; the plaintiff was a poor, weak, sickly boy, by no means a match for Markham, nor so strong. Markham did strike with all his might—he dashed the boy's head against one of the barges in the river. Deerhurst found he was surrounded by numbers, that even single-handed he had no chance in contact with Markham, and thought it the best plan to make a prudent retreat, he rushed to the first door, and rapped violently to get in: he could not get in till these gentlemen came up again, for they pursued, shouting all the while "Mill him, Markham." Markham then proceeded to beat him again, finding the plaintiff was not inclined to fight him. The plaintiff was very naturally irritated at this conduct, and told them this was not the conduct of gentlemen: it was the conduct of a very different description of persons, and he should certainly complain to the master. A little frightened at that they departed, as the plaintiff thought, for ever from him, and as he wished. If the occurrence was to stop here, he, Mr. Phillips, should say, that upon Dr. Goodenough, or Admiral Markham, or young Master Markham, bad as it was, expressing the least contrition for the conduct of the boy, that it was at an end, and that it ought never to have come into a court of justice. The jury would be surprised when he told them that when this boy, treated in this manner, was returning to the house of the person where he had rapped in the beginning, young Markham, not content with what he had already done, hid himself in a corner at a place called Dean's-yard, and rushed out suddenly upon this boy, giving him not the slightest notice, and beat him until he was covered with his blood. Deerhurst ran towards a hairdresser's shop, and there he was so faint that he actually fell feebly across the door, incapable of making the slightest resistance. The women of the house seeing him in that condition, humanely took him in, and kept him for one hour, until the route this outrage had occasioned had dispersed. She washed the blood from him, and at last when she found all quiet in the streets she sent him home. The learned counsel then said, that should he here step and claim compensation for this outrageous conduct from a young man just entering upon life, the son of a person by whom he ought to have been taught better manners, and the pupil at a school which professed to educate in morals and in propriety of conduct at least, the rising generation of the country, if he was to step here, he should be entitled, merely for the injury done to his client's feelings by the outrage, to a liberal compensation; but he would not claim it merely on account of these injuries to his feelings, though he thought as men of honour and gentlemen, they, the jury, would be of opinion that the injury any person's feelings sustained from a blow inflicted by another was great, and ought to be compensated: still he should go much further—the injury had been most serious to this young man, faint and sickly as he was at the time of its infliction. He returned to his home disfigured, swollen, marked,—up to this day marked—though this took place in April. He returned to his widowed mother in this situation; she, frightened out of her life, sent for a surgeon, who attended him for a month. He found him in a dangerous situation—his mind greatly harrassed, and his constitution injured; because in three days after the infliction of the injury, it would be proved, and to the jury's satisfaction most distinctly, that when he rose in the morning from his bed, his pillow was drenched with blood. The consequence of the beating, as the surgeon would prove, was the rupture of a blood vessel, from which, perhaps, during his life he might never recover; certainly on the slightest consequent exertion it might hereafter become fatal to him. He need hardly say, that he lost altogether the benefit of his lectures at Dr. Brook's: for a month he was not able to leave the place; he was faint and sickly and up to this day he was marked on his face from the injuries. Up to this day, neither on the part of Admiral Markham, or the master, or on the part of the young gentleman himself, had the slightest apology been offered. Admiral Markham, perhaps, cared very little about the verdict: the damages altogether were laid but at 100*l.*

The learned counsel was told they were laid at 50*l.*

Mr. Phillips continued—he hoped they should get more than 50*l.*; but certainly they were entitled to every farthing claimed, and a very poor compensation it was—a poor one to his client—nothing to Admiral Markham—a rich man, who cared but little about it, since he would not inculcate the slightest contrition on the part of his son. It was a bad way to bring up a young man, of perhaps good habits, and a proper turn of mind; for, encouragement in tricks of this kind was not likely to make him a good member of society hereafter. He trusted the gentleman would be taught, by the verdict of the Jury, that if relying on his rank and wealth, he chose to commit injuries of this kind, even on a poor man's child, he should be made to pay for it; and he pointed out as a person who it was dangerous to associate with, unless, by his subsequent habits, he should endeavour to atone for the errors of his boyhood. He (Mr. P.) understood the defendant was about eighteen years of age—at a time of life, at all events, to know right from wrong: he had inflicted this injury, and neither himself nor his father, had chose to atone for it. With respect to Admiral Markham, he (Mr. P.) wished to say nothing: he was a very elevated character in society—no doubt a most respectable man: his trade was assaults and batteries; and, very much to the honour of his country and his own good character, he had exercised his profession; but his son was in a civil occupation; if he was to be brought up to the profession of his gallant father, there was no objection to his exercising his powers on the enemies of his country; but it was to be hoped he would not begin by attacking his fellow subjects. Under these circumstances he should produce only one witness—(for he should not call the Westminster boys)—a witness who accompanied his client, and saw the entire transaction. He should prove, if there was any doubt as to the attack on the defendant, the words—"Mill him, Markham," which would distinctly prove who inflicted the injury. He should produce the boy's mother, the surgeon who attended, and if he established this case, he was confident that even against the rich man's son the poor one would get a liberal compensation.

Richard Banbury, the errand boy in the shop where the plaintiff was studying surgery, and who accompanied him to Westminster, and saw the transaction, was then called, and proved the assault nearly as stated by the learned counsel.

Mrs. Deerhurst, the plaintiff's mother, described the state in which he came home, and the illness afterwardes; and Mr. Deveneld, the surgeon with whom the plaintiff was for improvement, stated that he attended him for several days after the transaction.

Mr. Thessiger then rose for the defendant, and said that, seeing the extraordinary assistance called in on the present occasion, they were apt to consider this as a very serious [illegible] between the parties; but he saw that the gentlemen his learned friend was almost forgotten, of only remembered to be contrasted with the evidence—now that a calm was enjoyed after the tempest of his eloquence, what were the merits of the case, and who were the parties in it? It was, after all, a schoolboy called upon for the first, and he hoped for the last time, to answer for an assault in a court of justice. It was a quarrel between two boys, originating in he cared not what provocation, and of that complexion which was of ordinary occurrence in the neighbourhood where it took place. He admitted his learned friend had stated the case fairly, as far as his instructions went. But still it was to be decided by the evidence, and not on his statement. The learned counsel then went on to comment on the evidence of the boy, and the contradictions in his testimony, and said that the evidence he should offer to prove that testimony would be this: he should call Mr. Gibb, a solicitor, a person not at all connected with the parties in the transaction, who heard Deerhurst make use of improper and abusive language to the Westminster gentlemen, and who advised and cautioned him to abstain from it, for he assured him that if he did not, he would get the worst of it. The part of the gentleman was patient as long as it could be, but when he was roused beyond the pitch of endurance, the assault took place. He should call the woman and the hairdresser and the jury would from their [illegible] whether Deerhurst peaceable unoffending passive gentl[illegible]

had been represented. He had been described, too, as a weak, sickly boy; but the mother, naturally proud of her son, gave a very different account. She had said that he was not of robust habit, but that he was sickly, weak, and feeble, she would not for an instant allow; the honour of the mother was concerned, and she said there had been no sickliness which induced him to obstain from his ordinary occupations during the whole time he had been employed in business. His learned friend had said, that if any apology had been offered on the part of Admiral Markham, Dr. Goodenough, or the son, the cause would have been dropped. Did he shew that any application had been made to Dr. Goodenough, or that any steps had been taken to obtain that justice which, no doubt, Dr. Goodenough would have administered? If he had shewn that, he might have said that he had been driven and compelled to resort to a Court of Justice; but he did not, for the plain reason that no application had been made to Dr. Goodenough, for they knew he was ready enough to have administered justice. Their object would not have been answered by such a remedy. On the present occasion there were three reasons which might have induced this extraordinary application:—first, a desire of profit, that was a motive juries would not encourage, and if they saw that motive actuating the plaintiff on the present occasion, they would dismiss his case with contempt. Was the motive of revenge a proper cause which would induce a person to come and ask for damages? If that was the motive of the plaintiff, they would not make themselves accessaries to it; but if he meant to say, that the real ground of his application was a desire of obtaining redress, he asked, could the jury listen to the plaintiff's case, without his having shewn that he had applied to Dr. Goodenough, and he had refused to listen to his complaint? The question was solely as to the damages. From the defendant not having put a justification on the record, he was restrained from going into the question further than as a question of discretion and judgment, on the part of the jury, as to what damages they would award, considering the nature of the case, and the situation of the parties. The evidence that the boy had, after the beating, gone on his message, then walked to his mother's house, in Tottenham Court road, and then to Mr. Devenoll's, his master, destroyed the presumption that the beating was so severe as to prevent his pursuing his ordinary occupations. His learned friend had chosen to introduce the gallant and respectable father of the defendant—had it been shewn that he was aware of what his son had done; that any application had been made to him? and yet it was said, in a sinister manner, that Admiral Markham did not care for the amount of the damages. Would not any father feel hurt on being called upon to pay a large sum in damages for an assault committed by his son while at school, and not under his controul. Perhaps some observations might be made with respect to the testimony he should resort to. He would say at once, he did not mean to call any of the Westminster gentlemen, as it was natural to suppose they might have a strong bias against Deerhurst; he would not compel them to give that evidence which they were so anxious to keep out of the way. With respect to the amount of the damages the Jury would have very little difficulty when they heard the witnesses for the defence, and they would no doubt think nominal damages sufficient to satisfy the justice of the case: there was such a coinage as a farthing—if they chose to award this, it might immediately be passed from the pocket money of Master Markham to the pocket of Master Deerhurst; and he was convinced, looking at the whole circumstances of the case, he was not treating it with inconsiderate levity when he expected that would be the result of the jury's deliberation.

Mr. Thos. Glue, an attorney, of Cowley-street, Westminster, stated, that on the 11th of April, between one and two o'clock, he was walking in the neighbourhood of the College and crossing from Abingdon-street to College-street, when he saw three boys before him, two of them commenced a sort of running fight assaulting each other: he thought they were all young gentlemen of Westminster School, but he afterwards found that one of them was the plaintiff. He observed the plaintiff strike the other twice; the plaintiff ran away, but returned immediately afterwards, and said to the Westminster boys, "you call yourselves gentlemen, but you are all cursed rascals, and I will follow you go where you will." The witness, in consequence of hearing that language, spoke to the plaintiff, and said he had much better go about his business, for that if he followed them he would get no good; he would be sure to be thrashed, and would deserve it. The plaintiff did not appear to have any blood or marks upon his face, but he seemed much alarmed, and he remarked that they had no business to strike him. On his cross-examination, he said, he was not at the stairs when the boat lanced its cargo; he thought in an assult of this kind, the person retreating was as much to blame as the assailant who was pursuing him—a sound opinion for an attorney to give said Mr. Phillips!—He would examine him no further.

Mrs. Townsend, the milk-woman, deposed that, at the period of this transaction, she heard a weak screaming noise, and observed a lad run out of the green shop passage; she saw some drops of blood on the ground, and heard the plaintiff say 'You are no gentlemen; you are a set of blackguards.' She let the plaintiff into her house; he bled very much, and she gave him water with which to wash himself; he was desirous of going out to tell the master of the defendant what had occurred; he remained in her house an hour, and was bleeding half that period.

Mr. Phillips said it became his duty, in consequence, of the address of his learned friend, and the evidence he had given, to state to the Jury the impression the nature of the case had made upon him; he felt a little surprised that his learned friend should have remarked on the extraordinary circumstance of any additional counsel having been brought forward in this case; there was no person in the world knew better than his learned friend the reason why it was necessary to resort to his additional though humble aid,—he knew it was in consequence of a manœuvre on the part of his own client: he knew it was contrary to etiquette, that in a court where there were only four counsel, the two leaders should have been retained by his client;—by the usual courtesy of the court, one leader was always left by the plaintiff, or defendant, for the adverse party; if however, the defendant had retained both,—what did the additional expense signify to Admiral Markham? He was determined by the weight of his purse to bear all before him, and therefore he had done what had never been done before, secured the two leading Counsel of the Court; that was the cause why he had been selected, and he could only regret that it had not been left to the Seniors of the Court to shew what truth and justice could have effected even against the seniors. His friend had told him that this was the first time, and he hoped it would be the last that a school boy, as he was pleased to call him, had been called into a court of justice—so he would say, but he could not help thinking that it was a very [illegible] ptom of the way in which the boys of Westminster School were educated, that [illegible] furnished the only instance of such a circumstance. His Learned Friend had observed, that they should have proved that some application for [illegible] had been made to Admiral Markham or to Dr. Goodenough. Why should the plaintiff have made such an application? But these persons were competent witnesses, in his opinion; they were both in the power of his learned friend, who might have produced them, if he had thought proper. It would have gone a great way to mitigate the damages, if they had been called to prove that they had offered an apology, which had been refused: it would have been material to have shewn, that after so brutal an outrage there had been some contrition manifested on the part of the defendant, or an apology, or offer of compensation, on the part of the father or the preceptor. His Learned Friend had reminded the jury that they were fathers; he did not think they wanted that memento. He dared say, that such of them as were fathers took care to restrain their children within the bounds of propriety; and it was not likely any of their sons would be dragged into a Court of Justice under such circumstances. But he would tell them, that if they lived in the neighbourhood of Westminster School, and an outrage of this kind was passed over with impunity it was likely they would have their children complaining of similar conduct. If his case was a fair one, why had it not been met fairly? why had they not called the most competent witnesses who could have proved provocation if there had been any? Not a single witness out of this boat-full of scholars had been called; not a single evidence had been produced to say there had been any provocation; nor did it appear there had been any, except that his client had smiled or laughed—was that a provocation for conduct such as this? Mr. Glue had stated that there were no marks of violence on the plaintiff's face perhaps there were not; perhaps the surgeon was perjured or Mrs. Deerhurst was perjured; or perhaps the plaintiff had inflicted them himself as he went home. His friend had harped upon the boy sitting up for two hours—he did so; he was not killed outright: but how was his mother employed during this time?—in rubbing linaments on his pained and agonized back, and applications to remove the torture he was suffering. Another topic used by his learned friend was, that this was an action brought for the sake of the costs, that it was the attorney's action; and that therefore, the plaintiff's claim ought to be cut down to nominal damages. He did not think it was very good taste on the part of his learned friend, to cast an imputation upon a plaintiff because he was poor, and because an

attorney had generously taken up the cause a poor client. It was true the plaintiff was not able to remunerate his solicitor upon the same scale as Ad. Markham could, but was not attorney, therefore, to be reprobated, as if he had taken up a cause for his private profit; he trusted there were many attornies who, for the sake of justice, would be content to bear such a reproach; and he equally trusted there never would be wanted an advocate to plead the cause of injured poverty. His friend had asked, why was the action brought? Was it from a desire of profit? Why not?—if a man received an injury, had he not a right to compensation? Was he not entitled to come into a court of justice to demand it? His friend had also inferred, that the action arose from a principle of revenge; but the damages had been the motive of the plaintiff. He would have placed the defendant at the bar of another Court, to answer for this cruel outrage; his friend had complained that he was precluded from proving a justification; whose fault was that? Who drew the record? Who put in the plea? Was Admiral Markham or his son, or their friend and adviser, who knew that no justification could be proved, and that, if pleaded without proof, it would inflame the damages. It had been observed that his client had been only seven or eight days ill and that he was entitled to no compensation unless he had been laid up for life; bleeding every second day was nothing, compared with the way in which people were treated in other countries; such an argument, he was persuaded would not prevail with the Jury; they would not countenance a doctrine which would apply to themselves, if, after leaving this Court, they were to get a sound beating, which would lay them up for seven or eight days; he maintained that an injury of this kind committed in a public thoroughfare, demanded the most ample damages: the claim was ten thousand fold increased by its having been committed by the son of a rich man upon the son of a poor widow. This was not the country in which a rich man should presume upon his wealth or rank. Enlightened as the people were, they had an equivalent in the advantages they derived from the constitution of the country; ground down as they were by taxes and imposts, they were repaid by the liberty they enjoyed; in no other country could an appeal of this kind be made to an honest jury against a rich and powerful oppressor; it was the birthright of an Englishman, that he could not suffer oppression with impunity from the proudest noble of the land: it was a privilege every poor man enjoyed, that he could walk securely under the shade and shelter of the laws, and that he was protected against the aggression of the richest peer even of the King himself. It had been said by Lord Chatham that the rain might enter the poor man's habitation, the winds of heaven might assail it, but Oppression could not enter it; poverty might weigh the people down, distress might afflict them, but foul befal the man who dared to raise the hand of oppression against them. Whenever such a case occurred, the law should drag the oppressor to the bar of justice, whether he was the son of an Admiral or a Royal Prince. It had been attempted to lessen the damages by the circumstance that the plaintiff had used improper language: it was true he had not done so in the outset. They had to call a single witness who was present at the commencement of the affair. He was ready to admit the entire case of the defendant. He admitted that his client might have used reproachful, perhaps abusive language; but when was this?—it was after he had been severely beaten. There was a point beyond which human nature could not endure injury and insult; and his client, irritated by his sufferings, and wounded on his person, had exclaimed to his assailants that they were not gentlemen. Where they gentlemen? He had denominated them Westminster gentlemen. He retracted the phrase; they had not deported themselves like gentlemen. The defendant's case was that, after his client had been beaten, insulted, and wounded, he had had the audacity to turn like the worm when trodden upon. If they believed the attorney who had given such sound doctrine upon the subject, which he stated was, that the plaintiff was retreating, that he ran away and was gallantly endeavouring to ward off the blows of his pursuer; they had the evidence of his client being in the milk shop for one hour, and that he was bleeding during half that period; he would have resort to the bleeding on the pillow, for there was sufficient testimony out of the mouths of the defendant's own witnesses; if this was not a case which called for ample damages, God help the neighbourhood of Westminster School. It was quite clear that Dr Goodenough would not volunteer himself to make any apology for his pupils, and he much feared that if the verdict of the jury did not teach him a proper lesson, the school under his guidance and instruction, would become a nest of little Cossacks, to plague and torment the neighbourhood in which they were placed to receive the rudiments of instruction. The jury would hear the learned judge, whose only province it was to re-state the evidence and lay down the law, he would tell them, for the law must govern him, that the plaintiff was entitled to a verdict; he would tell them that there never was a case submitted to a jury in which they were more exclusively the judges, than where an injury had been committed on the body and mind of a complainant. The learned counsel observed, that the damages upon a subject of this kind, were altogether in the breast of the jury, and he trusted they would give his client such a remuneration as they would themselves expect, if they had received similar treatment, or if any of their children, thus outraged and thus complaining, had come into court of justice demanding redress.

The learned judge recapitulated the evidence with such observations as were applicable to the case, and the jury, after a few minutes consultation, returned a verdict for the plaintiff—damages, Fifty Pounds.

It is a remarkable circumstance that the damages laid in the declaration, were only £50, consequently, if the damages had been a single sum, the plaintiff must have entered into an ulterior proceeding for the purpose of a *remittitur* of the surplus.

The

POL

Bow Street.—The following addition published of the Bow-street, of which have been several respects begin with the

"The

daughter of a late celebrated engraver of that name, and youngest sister of an actress on the boards of Old Drury, who has obtained great notoriety for a pretty face—a roving eye—a fine set of teeth—a mellow voice—and an excessive *penchant* for appearing before the public in breeches—Macheath and Don Giovanni to wit. Mr. Best, the gentleman under whose protection she came forward, is a gentleman of large West India possessions, who some time ago immortalized himself in a duel with Lord C—

The third party, 'Lord ... whose chief points are a ... ing shirt sleeves, exquisite ... white gloves—a very low cut ... George Gordon-ish affect... do not know that he is ... thing else. For the ... lady's *mamma*, she is ... elderly personage, rema... very discreet, and all the ...

The Observer

ACCIDENTS, OFFENCES,

Suicide.—On Sunday night last, Hugh Pattinson, a private in the Scots Greys hung himself near the barracks, in Hulme. We understand that when the regiment was quartered here, in 1812, the unfortunate man married a Manchester woman, and took her with him when he left town. After remaining with him several years, she was owing, we believe to some misconduct, sent away from the regiment then lying in Ireland, and returned to her friends in this town, bringing her daughter with her. Pattinson, it appears, was still much attached to her, and sent her all the money he could save from his pay. When the regiment arrived here on Saturday, he, of course endeavoured to find her out, but for ... without effect, until on Sunday, he ... met with his daughter, in the ... quarter where her mother was ... to a house near the barracks ... faithless spouse living ... ried to, an artillery ... discovery occas... ing and con... and, after ... daughter ... o'cl... o'...

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Poetry.

TO THE DYING YEAR.

1.

Desolate and dying year!
Type of transitory man
Whom we call time and wind screen
[illegible] bounded to a span
[illegible] little day
[illegible] nature [illegible] thy birth
[illegible] thy verdant wreath
[illegible] the year,
[illegible] death
[illegible] sprung
[illegible]

[illegible] beneath the clay,
[illegible] to me!—to breathe—to learn
[illegible] the gentle, and the gay?
[illegible] to the wondering urn
[illegible] flowed the frequent tear
[illegible] bereft—[illegible] fled—
[illegible] that were [illegible] blessings here,
The loved—the lost—he saluted dead.

4.

[illegible] desolate and dying year!
[illegible] musing spirit finds in thee
[illegible] impressive and severe
Of deep and stern morality—
Thou teachest how the germ of youth,
Which blooms in being's dawning day,
Planted by nature—reared by truth—
Withers like thee in dark decay.

5.

Thou desolate and dying year,
Prophetic of our final fall!
Thy [illegible] are gone—thy leaves are sear—
[illegible] shrouded in the pall
[illegible] that shed
[illegible] prime,
[illegible] fled
[illegible] of time.

Varieties.

"——————— So we'll live,
"And pray, and sing, and tell old tales, and laugh
"At gilded butterflies, and hear poor rogues
"Talk of Court News, and we'll talk with them too,
"Who loses and who wins; who's in, who's out;
"And take upon us the mystery of things
"As if we were God's spies."——SHAKSPEARE.

A FEMALE WARRIOR.—At the attack of the Vizier's detached a column to stay behind to take charge of the enemy's knapsacks, which they had thrown off to be right for the purpose of the fight. I did not wish to expose [illegible] of his wife and family. He observed his [illegible] but his wife, believing herself [illegible] in these [illegible] pushed forward to the assault. When the enemy had been driven from the third redoubt, I was standing giving some directions to the men, and preparing to push on to the last redoubt, when I found myself tapped on the shoulder, and turning round, I saw my Amazonian friend standing with her clothes tucked up to her knees, and seizing my hand exclaimed "Well done, my Highland lad, see, see, see how the brigands scamper like scared deer!—Come on, come on, she, 'let us drive them from yonder hill.'—On enquiry, I found that she had been in the hottest fire, cheering and animating the men, and when the action was over, she was as active as any of the sergeons, in assisting the wounded.—*Col. Steward's Sketches of the Manners of the Highlanders.*

A GOOD SHOT.—It is now, said Von Wyk, more than two years since, in the very place where we stand, I ventured to take one of the most daring shots that ever was hazarded. My wife was sitting within the house near the door, the children were playing about her, and I was myself busied in doing something to a waggon, when suddenly, though it was mid-day, an enormous lion appeared, came up, and laid himself quietly down in the shade, upon the very threshold of the door. My wife, rather roused with fear or aware of the danger attending any attempt to fly, remained motionless in her place, while the children took refuge in her lap. The cry they uttered attracted my attention, and I hastened towards the door; but the astonishment may well be conceived, when I found the entrance to it barred in such a way. Although the animal had not seen me, unarmed as I was, escape seemed impossible; yet I glided gently, [illegible] knowing what I meant to do, to the [illegible] the house up to the window of my chamber, where I knew my loaded gun was standing. [illegible] happy chance, I had set it in the corner [illegible] the window so that I could reach it [illegible] and; for as you may perceive, the [illegible] small [illegible] admit of my having got [illegible] more fortunately, the door of the [illegible] so that I could see the whole [illegible]. The lion was beginning to [illegible] with the intention of making a [illegible] no longer any time to think; [illegible] another not to be alarmed, [illegible] of the Lord, fixed my [illegible] directly over the hair [illegible] edged in the forehead [illegible] those his eyes, which [illegible] of fire, and stretch [illegible] at he never stirred [illegible] *South Africa.*

[illegible] tails. A [illegible]—*Ergo*—a

The Albion, steam-packet, from Liverpool to Bangor Ferry, performed a passage on Sunday which has never been accomplished before by any vessel. She left Liverpool at seven o'clock in the morning, with a large party, and arrived opposite Bangor Ferry before one, where she remained nearly two hours, that the party on board might inspect the stupendous work, now in progress, for the new chain bridge of 560 feet span, and 100 feet in height. She returned to Liverpool the same evening. The speed of this fine vessel surpasses the expectation [illegible] from her beautiful model and the great power of her engines.

EFFECTS OF EXCESSIVE HEAT.—It is a singular and, perhaps, an unprecedented fact, that within the last week no less than seven horses attached to the stage-coaches between London and Cheltenham [illegible] beneath the extreme heats and [illegible] the road.—*Cheltenham Chronicle.*

At Cattistock [illegible] Monday the 8th inst. [illegible] was sold at *Sixpence halfpenny* per lb. [illegible] potatoes (of which there were 60 cart loads) [illegible] *three halfpence* per stone!

Wilkie, a [illegible] ing produced, upon the subject of Cheiseden [illegible] usioners reading the account of the battle of Waterloo, a most exquisite and unrivalled painting, is in sad distress at having discovered, since his performance has been before the public, that he has inadvertently been guilty of an anachronism in representing one of the most prominent characters eating *oysters*—on 18th *June*.

A country paper mentions that a person was lately killed by lightning, attracted, as it is supposed, by *the money in his pockets*. This we conceive to be the most conclusive argument that has yet been adduced to prove the superiority of a *paper* currency.

FIGHTING.—MANSLAUGHTER.—On Saturday the 1st inst. two men fought at Nether Knutsford, and one of them was killed. The Corner's Jury, on the Monday following, found a verdict of *Manslaughter*, against the survivor.

An American paper says—"If the Scotch bagpipes were to be played occasionally for a few days, in any place infested with rats, they would immediately quit the premises, and never return.

MINISTERS AND FAVOURITES.—Among "*The Fortunes of Nigel*," we find a very able, and doubtless a very true delineation of one of the greatest *misfortunes* of Mr. Bull.—"The King," says this correct observer of men and manners, "is himself well disposed to hold the scales of justice even; *but there are those around him, who can throw without detection their own selfish wishes and base interests into the scale.* * * * * * I would tell it to none but a wise man like yourself, but *the king hears them about him would corrupt an angel from heaven.*"—Vol. I.

A publican of Shields lately issued a circular thanking his customers for the great encouragement he had experienced since he reduced the ale to 4d. per quart, and stating that he would on a certain day therein named give his customers a treat at three-pence. The generosity of this landlord did not stop here; for he further promised, if the public should continue to patronize him as they had done, "he would give them a *threepenny touch* every now and then."

D. CRUZ, 18 RAMPART ROW No. 4.
[illegible] &c. &c. WILL BE THANKFULLY RECEIVED [illegible]
[illegible] *who will pay due attention to their orders.*